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Cymmrodorion Record Series

No. 8

A CALENDAR OF THE REGISTER OF THE COUNCIL IN THE MARCHES OF WALES

[1535] 1569—1591

A CALENDAR OF THE REGISTER OF THE QUEEN'S MAJESTY'S COUNCIL IN THE DOMINION AND PRINCIPALITY OF WALES AND THE MARCHES OF THE SAME [1535] 1569—1591

(FROM THE BODLEY MS. No. 904)

BY

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CALENDAR OF THE REGISTER OF THE COUNCIL IN THE MARCHES OF WALES

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PREFATORY NOTE

The Honourable Society of Cymmrodorion have pleasure in including in their Record Series, and in publishing, this "Calendar of the Register of the Council in the Marches of Wales (1569 to 1591)," by a distinguished young English Scholar, Mr. Ralph Flenley, M.A., the author of *Six Town Chronicles of England*. The Society is indebted to Dr. C. H. Firth, Regius Professor of Modern History in the University of Oxford, for calling the Council's attention to the work, and for recommending that it should be published. Very soon after arrangements had been made for printing the book, the Author joined His Majesty's Army as a Lieutenant of a Battery of the 149th Brigade Royal Field Artillery, in the 30th Division of the British Expeditionary Force now fighting the German invaders in France. While occupied with his patriotic and loyal duty as an officer of His Majesty's Forces he had time only for a hasty revision of this work. The following letter addressed to the Editor of the Cymmrodorion Publications, which we are allowed to publish, speaks for itself, and is a fitting Preface to this volume :

Dear Sir Vincent: Perhaps you will allow me to put in a letter what is more usually put in a formal preface? Some time after Mr. H. A. L. Fisher found or re-found in the Bodleian the MS. on which this Calendar is based, and suggested that I should edit it, the widespread discussion of the relations of the various parts of the British Isles gave a special if still academic interest to the study of the relations of England and Wales in Tudor times. But for various reasons it was not until the War had begun to cast its shadow over everything that I was fortunate enough to find a publisher in your Society. For this I need hardly say that I am grateful both to you and, through you, to your Society. To my friend Mr. Garmon Jones I am indebted for escaping a good many of the errors inevitably incident to the attempt of an Englishman

to edit a MS. mainly concerned with Welsh history. For those errors that remain I am of course responsible. They might have been fewer in more peaceful times.

Yours sincerely, RALPH FLENLEY.

Somewhere in France,
December, 1915.

It remains to be added that the Society is indebted to one of its members, Mr. W. Garmon Jones, M.A., not only for the assistance acknowledged by Mr. Flenley, but for seeing the final revises through the Press, and for the Index prepared by Miss Allmand, under his direction. The Council is grateful to the Curators of the Bodleian Library for facilities afforded in connexion with the MS. and to Mr. H. H. E. Craster, Sub-Librarian at the Bodleian, for help given in a matter of collation. *On behalf of the Society*, E. VINCENT EVANS, *Honorary Secretary*.

LIST OF BOOKS REFERRED TO IN THE INTRODUCTION AND NOTES

Acts of the Privy Council (New Series, ed. Dasent).
Anderson, J. C. *Shropshire: its Early History and Antiquities.* (1864.)
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Bird, S. R. Scargill. *A Guide to the Principal Classes of Documents in the Public Record Office.* Rolls series. (1908.)
Burton, J. R. *A History of Bewdley.* (1883.)
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Leighton, W. A. *Early Chronicles of Shrewsbury, 1372–1603.* (1880.)
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Pennant, T. *Tours in Wales* (ed. Rhys). (3 vols., 1883.)
Report of the Royal Commission on Lands in Wales and Monmouthshire (Parl. Papers, vols. xxxiii., xxxiv.). (1896.)
Rhys, John, and Brynmor-Jones, D. *The Welsh People.* (1900.)
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Powysland Club Collections, Historical and Archæological. (1868, etc.)
Prothero, G. W. *Select Statutes and other Documents of Elizabeth and James I.* (1898.)
Skeel, C. A. J. *The Council of Wales and the Marches.* (1904.)
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Strype, J. *Life and Acts of John Whitgift.* (1822.)
Victoria County Histories. *Worcestershire.* (3 vols., 1901–13.)
Williams, J. *Ancient and Modern Denbigh.* (1856.)
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Wright, T. *The History of Ludlow.* (1852.)
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Y Cymmrodor. (vol. ix., pt. ii., 1888.)

INTRODUCTION

I. THE NATURE AND CONTENTS OF THE REGISTER.

THIS ***Register of The Queen's Majesty's Council in the Dominion and Principality of Wales and the Marches of the same*** (as the official title ran) is a folio volume mainly in English but with some Latin, consisting of 246 leaves of paper. It is written by several hands all of the period it covers. If, as seems almost certain, the Register was the production of the Clerk to the Council, it was presumably written and kept at Ludlow, though it may have found its way to the other places visited by the Council or to the Clerk's own house in Shrewsbury. The handwriting on the whole is fair, though, as one would expect in a record whose first and last leaves were filled almost a quarter of a century apart, there is much diversity. Some of the writing is poor. It is impossible to say whether before its binding, in the second half of the eighteenth century, the volume was part of a larger record. The present end and beginning are almost certainly not those of the original volume. There is no title page and the first few leaves bear signs of rough usage. But beyond this and the loss of a leaf or two the volume seems to be in its original state so far as it goes. How it survived its vanished brethren it is impossible to say. About 1800 it found its way into the Bodleian, where it is now known as MS. Bodley 904.

In the following pages the Register has been calendared somewhat on the plan adopted by the editors of *The Letters and Papers of Henry VIII.* A few documents which seemed of special importance or interest have been printed in full with the spelling modernised. There seems nothing to be gained by adding to the large amount of Elizabethan spelling already in print. All important or distinctive sentences or phrases and all examples of words now rare or obsolete (with their original spelling) have however been retained. The names of places have been modernised, though the original orthography has been given in addition where it differs at all markedly from the modern version. Names of persons have been given unchanged save that obvious contractions have been expanded. The marginal notes of the Register are in all cases given as in the original, but with the spelling modernised. In the case of documents dated between January 1 and March 23, the chronology has been altered

to conform to the modern style. The Register is in the main in chronological order, but a number of documents of various dates were copied in as space permitted. These (when dated) have been placed in their due chronological order, the number of the folio indicating their original position ; a few undated entries have been placed at the end.

The Register is a record of the proceedings of the Council in the Marches of Wales between the years 1569 and 1591. It is true that it contains entries of earlier and of later date, but those of date before 1569 were probably inserted between the years 1569 and 1591 for purposes of reference ; those entered after 1591 are very few and disconnected. The actual compilation of the Register took place within the twenty-two years between July 1569 and July 1591.

The volume was in the main the work of the Clerk of the Council, at this period one Thomas Sherer, a citizen of Shrewsbury. One of the clauses of the Instructions issued to the Council in 1574 [1] declared, presumably repeating an earlier order, that 'The Queen's Majesty's pleasure is that a Register shall be duly kept by the Clerk of the Council, of all orders, decrees and proceedings, without any further charge to the subjects for entries or copies than shall be directed by the Lord President or Vice-President and Justices.' The Register was thus an official record and book of reference wherein the orders, decisions and precedents of the Council were accessible for consultation on application to the Clerk, who was responsible for its accuracy and safe keeping. We might almost infer this from the guiding marginal notes giving the gist of the entry opposite which they stand. These notes indeed are not devoid of value ; in one instance they tell us, what is not hinted at in the accompanying text, that the Council thought a certain writ of inhibition 'not to be allowed.' A direct example of the use of the Register for purposes of reference also occurs. A grant is made, or rather confirmed, in 1584, 'upon sight of the Register' which contained a copy of the previous grant of the same privileges.

The Record is not, like the Register of the Privy Council, made up entirely of the proceedings and determinations of the Council. But the major and quite the most important part, is in this form ; the entry of the date and place of meeting is followed by a formal statement of business transacted, the entry closing with a list of those present at the meeting. The Privy Council proceedings may have furnished a model, Sir Henry Sydney being a member of that body as well as Lord President of Wales. The entries of signatures, it must be noted, are copies, not originals, being all in the same hand as the body of the document. We are definitely told of one record of proceedings [2] that it has been 'registered by the original and agreeth with the same which is returned to the office'—pre-

[1] Clive, *History of Ludlow*, Appendix, p. 324. [2] P. 214.

sumably in Ludlow Castle. The record of these meetings is obviously the main cause of the keeping of the Register. But fortunately for the historian, the Clerk of the Council or his subordinates in addition made the volume a repository for all sorts of miscellaneous documents, some of value, some comparatively unimportant, but all bearing very real and vivid witness to the activities of the Council at this period. The formal meeting was not seldom the result of some mandate from the Privy Council ; hence the letter from the higher body found its way into the Register as a preface or appendix to the record of the sitting. And as in the Acts of the Privy Council we are given only a brief note that letters were to be despatched and not the letters themselves, these epistles, often of some length, are not without value. In a number of instances these entries throw some light on the doings of the Privy Council, during the years for which its own Register is missing.[1] Incidentally this record proves also that the Acts of the Privy Council, when they remain, do not give a complete account of its proceedings : there are specific entries of letters from the Privy Council and references to its decisions of date for which its own Register exists, of which no mention is to be found in that Register. The reverse of this, it should be added, is also true : reference is made in the Acts of the Privy Council to matters concerning Wales and the Marches for this period to which this Register says not a word. Beyond this, however, the keeper or keepers of the local record entered letters from the Queen, usually in the form of Letters Signet, beginning 'By the Queen,' and sealed with the signet seal, letters from the Exchequer or other Courts or Officials, Proclamations sent for distribution in the shires under the Marches Council's jurisdiction, instructions for its behoof, petitions from various sources, judicial decisions, commissions military, ecclesiastical and judicial, grants and letters patent, lists of officials, reports made to the Council, even charters granted by private individuals. In one case the keeper of the Register turns Chronicler and relates what happened through an adjournment of the Assizes to be held in Bridgenorth. Nothing seemed to come amiss to its compilers—a licence to travel, an indenture from a Worcestershire village, a list of the lords of certain manors in Shropshire, a recital of the tithes due to a vicar—all found their way into the Register. It is a Tudor miscellany of government rather than a formal Register, typically Tudor in that very miscellaneousness, so characteristic of the activities of its prototype the Privy Council.

The Register, as already remarked, is a survivor. But it does not resemble at all closely the existing records of later date.[2] It is distinct both in form and in content from the

[1] E.g. pp. 55–6, 69–70, 100, 217.

[2] There is however one volume amongst the Dovaston MSS. which appears

'Entry books of cases heard before the Council' which cover the period 1631–42. Those 'Entry books' are purely legal records: the Register is mainly concerned with administration. It is not bare of all reference to the purely legal aspect of the Council's work; far from it. But its main interest and value lie in the light it throws, not on the workings of the law, but on the problems of government, on the Council rather than on the Court, impossible and unnecessary though it is definitely to separate the two functions of the one body. It would be going too far to suggest that the difference between this record and those of the reign of Charles I is entirely the result of a change or contraction in the activities of the Council. It is quite possible that other records of the Council's more purely administrative work immediately before its dissolution by the Long Parliament, were kept; and we may assume that other records of the legal work done by the Court under Sir Henry Sydney existed. None the less, the comparison of the records for the two periods is not wholly futile. The proportion of the purely administrative as compared with the legal business of the Council became less and less as the sixteenth century advanced. As, after Bishop Lee's strenuous period of office and the passing of the Acts of Union, Wales became more settled and for administrative purposes more and more an integral part of the whole country, its government became more and more routine work and the Council less and less an engine for the suppression of disorder, and more exclusively a Court.

In addition however to the fact that this Register says comparatively little of the strictly judicial work of the Council, there are other gaps which would effectually quash any pretensions it might appear to possess to be a complete record of the Council's activities. Of the finances of the Council we are told next to nothing. Presumably the Clerk of the Fines had his own record in which he entered his receipts and disbursements: the keeper of this record, at all events, had little to do with that aspect of the business of government. There is little information in the Register in regard to the slow but none the less certain developments in land tenure characteristic of this period, the lengthy process by which Welsh tribal custom in landholding was brought into some conformity with the English law of real property.[1] And there is practically no mention of the Inclosure movement of the time into whose workings the Council were specially instructed in 1574 to 'make due and diligent inquisition.'[2]

from its description to have been to some degree a successor to this volume. It contains copies of letters sent to the Council, lists of officers, orders of the Council, copies of various instructions and so forth. In point of time it follows this Register, its first entry being of 1586, its last of 1642. See for the Entry Books, Skeel, *The Council in the Marches of Wales*, pp. viii., 151 *seq.*

[1] For this, Rhys and Jones, *The Welsh People*, p. 407 *seq.*, part of a contribution by the late Mr. Seebohm.

[2] Skeel, p. 93, and for examples of action thereupon in this period, *ibid.*, 262-3.

II. THE VALUE OF THE REGISTER FOR THE GENERAL HISTORY OF THE PERIOD AND FOR THE CONDITION OF WALES AND THE MARCHES

The prime objective in reading through any record covering half of the reign of Elizabeth is naturally to discover what new light it may cast on the Reformation Settlement and all that that implies. From a record of this nature however one could not expect very much ; to do so would assuredly be to reap disappointment. Of new information for the general history of the whole period there is indeed little ; a few new documents of minor import, a few new letters of no greater moment from one or two of the chief actors in the political drama—from Burghley, Walsingham, Sir Henry Sydney.[1] But of the local application of the measures of the period there is more, though not a great deal more, information. There are two documents [2] showing some connection with the rebellion of 1569. The one of date February 1570 is a copy of a general letter issued to all the shires, commenting on the unpreparedness of the local forces for service in the north and ordering musters of horse and foot to be held. The other, likewise inspired one may judge, by the rebellion, is more directly ecclesiastical. It is an order of November 1569 by the Council—in pursuance of royal commands—that all justices of the peace in the twelve shires of Wales should forthwith subscribe to a declaration that it was their ' bounden duty ' to observe the contents of the Act of Uniformity passed ten years earlier, that they would attend the parish church and conform as demanded by that Act. The reluctance of Wales to embrace the Reformation régime is sufficiently well-known and attested. In the spring of this same year 1569 the Spanish Ambassador had linked Wales with the north of England as ' for the most part mainly Catholic.' [3] Now the North, or at least the vocal part of the North, had declared for the old faith ; it was small wonder that the Government should take some measures to assure themselves of the loyalty of the gentry of Wales.

In the event, what fears there may have been proved groundless : so far as the returns sent up by the Council to the Privy Council remain,[4] there are but two exceptions to the required general declaration of subscription, whose form is preserved in the Register.[5] Sir Thomas Stradling, of Glamorganshire, well

[1] Pp. 124, 214. [2] Pp. 58, 67.

[3] *State Papers, Spanish,* ii. 147 ; cf. *S.P.D.*, 1547–80, p. 301, the Bishop of Bangor to Cecil in 1567 remarks on the widespread use in his diocese of ' images, altars, pilgrimages and vigils.' And cf. . also the document on ' The State of North Wales touching religion ' in Ed. Owen, *MSS. Relating to Wales in the Brit. Mus.* i. 72 : cf. also *ibid.*, i. 57.

[4] *S.P.D.*, 1547–80, p. 361. For Stradling, *ibid.*, p. 168 and *Dict. Nat. Biog.* ; for Arundel, *S.P.D.*, 1547–80, p. 368.

[5] P. 59.

known as a strong adherent of the old faith, renewed the bond of 1,000 marks for appearance before the Privy Council which he had given in 1563 after imprisonment in the Tower. Like refusal and pledge for appearance were given in April of 1570 by Sir John Arundel of Llanherne. The returns from Flint and Carnarvon were not sent in with those of the other counties, but we hear no more of political or religious disaffection in Wales or its Marches, fruit it may be in part of the tact and skill with which contemporaries agree in endowing the Lord President Sir Henry Sydney, whose period of office—easily the longest of all the Lords President—stretched from the passing of the Act of Uniformity to within two years of the attempted great counterblast of Philip II. Of lesser importance for the same subject the Register contains a Commission of *Oyer et Terminer* for Uniformity of religion in the county of Salop, of date 1573 ; another special commission dated July in the following year for ecclesiastical causes in the Diocese of Bristol and Gloucester ; sundry letters from the Privy Council regarding the observance of Lent and Fish-days, a note from the same source that the muster captains should be ' of the best affected in religion ' as well as of substantial social position—these exhaust the direct resources of the Register for the movement around which interest primarily centres in considering the general history of the period.[1]

The entries illustrative of more purely political history are mainly and naturally concerned with its martial aspect, with preparations for offence and defence, the levying, mustering and training of horse and foot soldiers, the safeguarding of castles and exposed parts of the coast. The position of Wales indeed made her of some importance from the strategist's point of view. Whilst her covering of hills, with the consequent difficulties of transportation and supply, lessened the danger to which a three-sided environment of water would otherwise have exposed her, there was in the comparatively level Anglesey a very lively and constant fear of invasion. Sir Richard Bulkeley writing to Cromwell in 1539 [2] had described Anglesey as defenceless. A document of the last year of Mary's reign,[3] entered probably for purposes of reference, speaks of ' the late attempt ' of the Scotch and French and their acquaintance with the landing places of the island, showing also that the feeling of insecurity had found expression in a petition to the Privy Council. The autumn of 1569 saw a return to this method in the despatch to the Privy Council by the inhabitants of the island of a new petition [4] asking for exemption from miltary service outside the shire, for guns, shot and powder and the residence of the keepers of the castles of Beaumaris, Carnarvon and Conway. The isle, they urge, has no less than six places open and easy for the landing of hostile forces and

[1] Pp. 101, 104, 116, 120, 158–60, 219.
[2] *L. and P. of Henry VIII*, xiv. (i) 732, 802. [3] Pp. 49–50. [4] Pp. 56–7.

of late ' divers unknown ships ' have been observed. The Privy Council referred the matter to the local Council, who in turn appointed commissioners to consider and report on the articles of the petition. Their report, itself in the form of a petition, has been entered with the other documents. It says nothing of the need for ordnance or the residence of the keepers of the castles, but emphasises the need for a general muster ' after the manner of the last Commission,' with a consequent provision of armour by all those ' of any competent ability.' The isle should receive support from the forces of Carnarvon. The difference between the two sets of recommendations may represent the difference between the position of the prime movers and that of the special commissioners ; a general muster was as burdensome to the ordinary inhabitant of Anglesey as continuous residence to those of the gentry responsible for the guardianship and upkeep of the castles, some of whom would almost certainly be on the Commission. General musters were indeed ordered early in the following year,[1] but nothing is said in the commission therefor respecting the special claims or needs of Anglesey. In 1581 however both Anglesey and Carnarvon were spared their contribution to the forces levied for Ireland, on the ground of their special need of men for defence. Three years later a special commission was issued [2] for musters in Anglesey, Merioneth and Carnarvon because of ' these dangerous times ' as the Privy Council put it. Lengthy instructions were given to Richard Gwynne of Conway, who was chosen captain, to arrange times and places for the muster, to appoint officers from the principal gentlemen there or their eldest sons, and to divide the whole force into bands of 200 men each with its due proportion of shot, bow, pike and bill men. He was to take special care with the training of the shot, teaching them how ' to yield their bodies in comely sort to the piece and assure their eye to the fire ' before proceeding to practice them in manœuvres, and to ' acquaint them with the sound of the drum and every other like point appertaining to a private soldier.' He was to make two reviews of each band in the two months allotted for the training. Finally after ordering defects in armour and weapons to be made good by the following September, he was to return to London with a complete list of all those mustered.

The proportion of space in the Register occupied by consideration of the ways and means of offence and defence is in keeping with the place which military affairs, more particularly of defence, held in the mind of the Government and the people. Of this indeed the Register is an index the more valuable because the Muster Rolls are unprinted and the Calendar of Domestic State Papers from its character gives but the dry bones

[1] P. 67.
[2] Pp. 210, 218 *seq.*; *Acts of the Privy Council* (henceforth *A.P.C.*), 1580–81, 364.

of the military history of Elizabeth's reign. The Register opens with an order of the Council that certain specified persons should be responsible for the armour and armour house in each shire. Of musters, in addition to that already mentioned for the year 1570, mention is made of others in 1573, 1577 and 1580–1—roughly every four years. That of 1577 [1] is declared necessary because 'the troubles long since moved in the countries of divers princes our neighbours round about, still continue,' a reference presumably to France, about to plunge itself into a seventh war of religion after the formation of the League; and to the Netherlands where the Spanish Fury at Antwerp was scarcely old enough to have become a memory. The Privy Council, after a lengthy indictment of the Commissioners for their delinquencies in the matter of the returns they had in vain demanded for the previous musters, lay down in detail the manner in which the muster was to be made. They declare when the foot and horse are to be mustered for their ten days—at least—of training, how the allotted number of men are to be levied—from places 'pretending liberties' as well as from the shire in general—in what manner the levies are to be equipped—with calivers, flasks, touchboxes, morions, swords and daggers, 'and such other furniture as appertains.' The levies are to be made from husbandmen likely to remain in one place rather than from the more mobile artificer class. They are to have 8*d*. for each day of training. Archery is to be maintained, and the armour is to be kept in repair collected in one place for each shire. Finally—though the instructions are not complete—the commissioners are themselves to set an example in the matter both of bearing the charges of the muster and of being active in its execution. There are indeed evident signs throughout that the Privy Council is anxious to appease possible objections to the musters on the ground of expense to the shires. The charges will be but light and the shires easily able to bear them; the money is to be levied as considerately as possible. There was probably some recollection of what had happened in 1570, when a lengthy inquiry was ordered [2] in consequence of the assessment and part collection in Wales and the Marches of 'divers and great sums of money' under colour of musters. That such abuses were not uncommon may be gathered from the fact that one of the articles in the Instructions of 1574 [3] to the Council orders inquiry into and punishment of any such false levying of money. There was apparently no application to the musters of the device adopted later in the same year for the cost of the repairs to Dover Harbour—a tax 'by way of licence' upon all alehouses, inns and taverns. Despite

[1] P. 160 *seq*. A copy of a Commission and Instructions for the taking of musters in 1573 is printed in Grose, *Military Antiquities*, 1786, i, 81–99. It differs somewhat from the instructions here given.

[2] P. 70.

[3] Clive, *Ludlow*, pp. 321–2.

the solicitous care of the Privy Council, their protestations of the lenity of the Queen in the matter and of the capacity of the shires, the objections to the burden of taxation for musters continued and in 1582 a letter of Walsingham to Sydney [1] ordered, on this ground, that the annual training should cease. For the muster of 1580 the Register preserves the names of the commissioners for Denbighshire and the instructions, even more lengthy and detailed than those already mentioned, by which the mustering was to be carried out.[2]

In addition to this testimony as to the methods and difficulties of obtaining military service from the shires of Wales and the Marches, the Register illustrates other aspects of Elizabethan military history. There were attempts from time to time to maintain the use of the bow in Wales. The regulations by which this was attempted [3] were of course in pursuance of the various statutes passed for this purpose. They differ in no way from those issued to the English shires with the same end in view, unless indeed these efforts to revive a dying national pastime may be said to gain a peculiar though melancholy significance from their direction to the country from which the long bow had originally sprung. To the defence of Wales in the year of crisis 1588 we have but one reference, a notification in an order of the Council [4] that both pursuivants 'in respect of the necessity of the service tending to the defence of the realm' have been despatched to deliver the commands of the Privy Council into the various shires with 'speed as appertains.' This was in June, a month before the Armada had left the coast of Spain. A letter of 13 August to the Council concerning the Shropshire levy is preserved elsewhere.[5] Of the share of Wales and the Marches in what military service abroad the diplomacy of Elizabeth and Cecil was unable to prevent we hear a little in the Register. The habit which Englishmen had contracted in the years of peace of this period, of taking service in foreign countries, drawn by their sympathies and military ardour, is denounced and the practice forbidden in a lengthy epistle from the Privy Council, of which a note is given in the Acts of that body but which is here given in full.[6] The Council in turn order the despatch of prohibitory letters to the shires within its commission. More interesting is a reference to Leicester's campaign in the Netherlands for which the six southern shires of Wales provided 200 men out of 7,000. These, as the letters of the Queen and the Privy Council to Sir Henry Sydney [7] tell us, were to be under the command of the more famous son of the Lord President. The father would be the more careful to

[1] Pp. 214–15.
[2] Pp. 200–8.
[3] Pp. 167, 168–70. Stat. 8 Eliz. c. 10.
[4] Pp. 232–33.
[5] In the town records of Shrewsbury (*Hist. MSS. Comm.*, Rep. XV, App. x, p. 56).
[6] P. 154.
[7] Pp. 225–7 ; Sir Henry Sydney died on May 3, 1586, Sir Philip on September 22.

see that the men were 'well chosen and of able bodies to serve,' and provision of £4 made for each man's equipment. It was indeed in all probability the last service he performed for his son, whose star was to set under the walls of Zutphen a few months after his own had sunk in the comparative quiet of Ludlow Castle, a place full of memories of the childhood of his 'little Philip.'

There are, as one would expect, frequent references to Irish affairs in the Register. Opposed to it along the western coast and with a considerable communication through the ports immediately north and south, Chester and Liverpool to the north, Bristol to the south, Wales and the Marches had an additional interest at this period in the fortunes of Ireland. For they provided not only men but also rulers for that distressful country; Sydney was twice Lord Deputy, in 1565 and again in 1576; Gerard, one of the most active members of the Council, was appointed Lord Chancellor there in 1576; and Sir John Perrott, who on his admission to the Council in 1574 was described in the Queen's order as fitted therefor by his 'good and faithful service of late in the charge committed to him in Ireland,' returned there to be Lord Deputy ten years later. Note is duly made of Sydney's appointment in 1575 and also of his journey from Ludlow to Beaumaris to take ship for Ireland.[1] Some estimate of the interest in Irish affairs may perhaps be drawn from the entry in the Register of an undated document[2] putting forth 'the advantages and profits that the King's Highness may make of his land of Ireland,' though for which monarch the advice there tendered is meant it is impossible to say with certainty; probably, from the hand, for Henry VIII or Edward VI. Its downright advocacy of the plantation of the country by Englishmen, with (it argues) a consequent vast increment of revenue, is worth passing notice. The provision of food for the English forces in Ireland gave some work to the Council. In 1574 complaint was made[3] that of large quantities of grain, butter and other victuals 'taken up' from the shires within the Council's jurisdiction for export to the Earl of Essex in Ireland, only a small portion had reached its destination. This register supplements the notices in the Acts of the Privy Council, giving the orders of the local Council, the lists of Commissioners appointed by it to inquire into the truth of the allegations, as well as the full letter of the Privy Council, though it leaves us equally in the dark as to the outcome of the inquiry. In the agitation consequent on the return to Ireland and escape of Gerald Fitzgerald, Earl of Desmond, in 1573–74, Wales and the Marches were required to furnish 133 footmen and 20 horsemen prepared to set out for Ireland on one day's notice.[4] The contribution of a quota from Wales and the Marches

[1] P. 143. [2] Pp. 239–41. [3] Pp. 108–9.
[4] Pp. 115–16. The Queen to Sydney; cf. Skeel, p. 253.

for Ireland in 1581 is also recorded.[1] The first entry in the Register for the Earl of Pembroke's period of office is an order of the Council made in March 1587[2] for the levying of troops for service in Ireland, the Queen having learnt 'by advertisement from sundry parts beyond the seas that there is cause to doubt of some attempt against Ireland.' Special care is to be taken so that the captains in charge may not as on former occasions find 'great fault, both with the persons of the men and their furniture.' A local chronicle of Bristol relates how the Earl visited the city about this time 'to take a general muster of the trained bands.' But of the despatch of this force also the Register is silent.

Turning from the spectacle of the continuous if somewhat humdrum participation of Wales and the Marches in the Elizabethan pageant of war which, characteristically, predominates in the Register, the value of the record for the workings of the more silent social and economic forces of this period demands attention. It is difficult enough to discover tendencies from a record covering very incompletely only twenty-two years; accurate generalization—if that be not a contradiction in terms—it is impossible to arrive at. This is far from saying that the period of office of Sir Henry Sydney, despite his absences in Ireland and at the court, was unproductive of effect on the life of those whom he governed; but those effects would be in any case difficult, and in a formal record of this character almost impossible, to observe. Further, the measure of success achieved by a Lord President is to some extent to be seen in the absence rather than in the abundance of records; it is the disorder and not the order which goes to fill the record book of Court and Council. Yet despite this the Register both positively, and negatively by implication, gives us a fair amount of information as to social conditions in Wales and its borders in the middle period of Elizabeth's reign, rendering possible some slight comparison with the condition of affairs a generation earlier under Sydney's most important predecessor, Bishop Rowland Lee.

The most obvious difference is the comparatively small amount in Sydney's times of the violent and almost chronic disorder of which Lee's letters to Cromwell render so full and graphic an account during the years in which the Union was accomplished. What we may call the formative period of the Council's work was completed when Lee died. Sydney's twenty-seven years of office (1559–1586) represent a middle period when with no further development or serious contraction of powers the Council performed its routine of governing and dealing out justice in the seventeen shires committed to its

[1] P. 210.

[2] Pp. 230–1. The entry from the Bristol chronicle is found in Seyer, *Memoirs of Bristol*, ii. 249.

charge. The riot and retribution which marked the stern Bishop's days had gone. It is significant that there is only one instance in the Register of the crime of murder being committed.[1] Deterrent measures, and probably still more the lessening of the conflict of jurisdictions and the growth of prosperity which followed the Union, had had their effect. Men had more respect than their fathers for law and order, less inclination to commit actions bringing in their train harsh and exemplary punishment. The peace was broken of course. It would be absurd to expect regions so long in the enjoyment of special privileges in such matter, to accept the new régime at once and without demur. The North of England had in a measure taken arms against it, and even the shires nearer the seat of government were not free from occasional disturbances. But the disorder recorded in the Register was sporadic and on the whole petty in its character. Lee in his exasperation had on one occasion written to Cromwell of those under his rule,[2] 'Thieves I found them and thieves I shall leave them,' and it was not in a few instances thefts, mainly of cattle, which moved the Council to action. The language of the Council on these occasions was it is true sufficiently solemn, not to say ponderous, but in this it but resembles the kindred documents of the period, and it had besides special excuse in the peculiarity of its position. It was not a supreme body but was nevertheless responsible for the general rule and order of the shires within its jurisdiction. Yet Lord President Sydney, after a life rich in experience of government, could assert that 'a better people to govern than the Welsh, Europe holdeth not.'

The Register preserves two general indictments of the condition of the county. The first is of date 1577,[3] within two months of the appointment of Bishop Whitgift as Vice-President in Sydney's absence, and probably in part at least owing its origin to the freshened zeal which a new head brought to the Council. It recites that—

> 'The sundry and manifold robberies, felonies and other disorders and outrages generally in all places of this commission be so great and so daily increase, as without some speedy amendment the good and quiet sort of people living by their painful labour shall be terrified to travel on or about their necessary affairs and business, for fear of being robbed of their goods and of some other violence to their persons to be offered by rogues and vagabonds, who without stay or maintenance live by the fruit of other men's labours, haunting fairs, markets and other places of resort, and there making or moving affrays and other

[1] P. 209, in Monmouthshire. There is also record of two murders in these regions in *A.P.C.*, viii., 1574–5, pp. 278, 374 : *q.v.* Skeel, p. 97.
[2] *L. and P. of Henry VIII*, xii (ii), 1237. [3] Pp. 177–9.

outrages to the terror and great annoyance of the quiet and simple sort.'

The remedy for this state of affairs the Council sees in the prompt report to itself of all felonies and the apprehension of the offenders. The next is eight years later in date,[1] when Sydney, after two years' employment on the Privy Council and at Court, returned to the Marches, presumably because of the reports of 'many outrages, offences and misdemeanours committed in divers parts of the limits of this Commission, and specially in South Wales and no correction or punishment used,' all this being imputed to Sydney by the Queen 'as a great default.' Inquiry had shown that the riots and misorders occurred at the assizes, sessions, fairs and other assemblies, and were to be attributed to the negligence of the sheriffs and justices of the peace who allowed the carriage and use of 'monstrous weapons' on these occasions. The remedial measures ordered are much the same as before; the sheriffs and justices are to make monthly certificate to the Council of all affrays and felonies committed within their several jurisdictions. But of the general order or its effects we hear nothing more. In any case the generality of these two orders scarcely increases their value. We learn more from the notices of disorder in special localities. There may have been some truth in the remark as to the greater disorder in South Wales. Almost the first record in the volume is one ordering measures to be taken to preserve the peace in Glamorgan. In 1570 a lengthy and bitter dispute occurred there over the election of new coroners, and some preparation for the use of force was made. On the other hand four of the justices in that shire reported in 1578, possibly in response to the general order of Whitgift already referred to, that in the five western hundreds they could learn nothing of any 'routs, riots, affrays, burglaries, murders, or any other notorious disorders saving a few trifling matters of pickery.'[2] In 1575 the Council orders letters to be sent to the sheriff and justices of Radnor[3] to warn them of their negligence in allowing too many alehouses, whereby vagabonds and in consequence crime flourished there. Certificate is to be made to the Council by a given date as already described. Monmouth had had its turn two years earlier[4] when the Council recorded the bad condition of the county and its resolve to maintain order there. Overseers were to be appointed in each parish to be responsible for the butchers and alehouse keepers there; the sheriff and justices were to meet once a month certifying the Council 'from time to time.' The northern counties also came in for a share of the Council's activity in this regard. Just a month after order-

[1] Pp. 227–9.
[2] Pp. 61–2, 85 *seq.*, 179–80. *A.P.C.* vi. 236 records a riot in Glamorgan in 1558.
[3] P. 145.
[4] P. 102.

ing these measures in Radnor the Council turns to Merioneth and Montgomery [1] where, it is reported, the authors of many 'felonies thefts and spoils' have evaded justice and remain at large in the wilder parts of the two counties. The Council appoints five Commissioners who, with the two sheriffs, are to search out and bring to justice the offenders, certifying the Council within two months. There had been complaint before this of the escape of offenders from Merioneth into the neighbouring shires of Cardigan and Montgomery. In 1570 Owen Wynn, Sheriff of Merioneth, was empowered, as some of his predecessors had been, to pursue felons into these two shires.[2]

Of the English shires Gloucester attracted the attention of the Council in 1575 just after Sir Andrew Corbett had acquired the dignity of the Vice-presidency on Sydney's departure for Ireland. The document [3] scarcely bears out in its wording and tone the judgment of Gerard, penned in this year, that Sir Andrew was 'a very sickly man, not able to take the toil of that service.' It is couched in language of some severity, directly accusing the sheriff and justices of being 'negligent and forgetful' in their work; 'such bearing and bolstering, such indirect practices to shadow the truth and to hinder justice is not scarce used amongst the barbarous people as presently by common report within that county of Gloucester.' Damage to the value of nearly £1,000, it is estimated, has been committed in the shire within the last four months. The sheriffs and justices are to meet, and to discuss how to ensure better order and more strict execution of the Acts involved, especially that concerning rogues and vagabonds. They are to enter in a book all the felonies committed within the last four months, sending it to the Council and making monthly certificate afterwards. Bridgenorth was the scene of what was termed 'a great affray' in 1577.[4] The Assizes for Shropshire had been delayed by the fact that both the justices appointed to keep them, together with some of their subordinates, had died of the plague contracted in their stay in Oxford. In a suit pending for part of the barony of Powys between two of the Vernons and a tenant of Edward Grey, Esq., the feeling of hostility, fed by the delay, led to open fighting. This broke out one Sunday night and again next day—which happened to be fair day—between the followers of the rival claimants 'and long it was before they could be quieted notwithstanding the presence of the Vice-President and Council' says the scribe who inserted an account of all this in the Register. His comment on the position and importance of the Council is worth noting. Fairs and riots were indeed somewhat closely associated in the minds

[1] P. 146. [2] Pp. 62–3.
[3] Pp. 148–9. December 16, 1575, Corbett being appointed August 15 of this year. For Gerard's criticisms of the Council and its officers see Skeel, pp. 106, 109–10. [4] Pp. 171–2.

of both governors and governed. In the previous year, 1576 the Council found itself at Ludlow Castle on the eve of the town fair and took upon itself to see that preparations were made to repress disorder.[1] The bailiffs were called before the Council, warned to be diligent, and then further exhorted by letter that 'in secret order' they should, after conference with their aldermen and Council cause strict watch to be kept and enter 'suspect' houses to seize offenders. The carrying of weapons on fair day was to be forbidden and any such found more than six feet long were to be 'reduced to a reasonable length.'

The connexion between the elements of disorder and the number of alehouses was too obvious not to strike the Council, and the keepers of these felt the reforming zeal of the Council. Apparently it was all too easy to procure from the justices the licence requisite for their establishment of such a house, with the result that there was in existence what to the Council appeared 'an excessive number,' many 'in desert or secret places.'[2] Crime of all sorts, it was contended, was thereby fostered and increased, unlawful games encouraged, archery decaying, the regulations for the relief of the poor and restraint on the movements of vagabonds not enforced. This was in 1573, the year after the passing of an Act to deal with vagabonds and impotent poor. The Council made its wonted exhortation to the sheriffs and justices of the peace, ordering them to obtain particulars of the total number of alehouses and then to reduce the excessive number, to see to the execution of the statute concerning the poor and to notify the Council of their proceedings. By an order of July 1577[3] to revive the practice of archery and raise money for the repair of Dover Haven, a list is required from the justices of all the 'alehouses, taverns and inns with the names of their occupiers, as well in privileged places as elsewhere' in the March shires and county towns as well as in the counties of Wales. The returns for less than half the counties are entered in the Register; for the rest, merely a note that 'these have not certified.' If this, as it appears, was the conclusion of the matter, the affair affords a somewhat unfavourable commentary on the efficacy of the Council's commands. Those returns which exist are not so clear as could be desired; the distinction between inns, taverns and alehouses must have been arbitrary in many cases, and in

[1] Pp. 157–8.

[2] Pp. 102–3. An example of the way in which licences for the keeping of alehouses were obtained (or at least asked for) is given in Skeel, p. 210. The sale of strong drink was not confined to persons of low estate. Sir John Wynne (*History of the Gwydir Family*, ed. 1878, p. 58) relates that earlier 'there was no gentleman of worth in the country, but had a wine cellar of his own, which wine was sold to his profit.' The Welsh word 'gwindy' is used, I am told, for the wine-house, to whose presence on the estate of every gentleman there are countless references in the contemporary poets.

[3] Pp. 170–1.

one instance it is not stated whether the number given for the county included those in the county town or not. The figures are suggestive but not much more. Worcester, the one English shire giving a return, is credited with 477 houses of this sort, far ahead of Carmarthen which heads the list of the seven Welsh shires with 196, 31 of these being in the county town. Radnor comes next with something over 100 houses, then comes Flint with a more modest 67. Cardigan counts 41 whilst Carnarvon with 30 is supported by the sisterly rivalry in temperance of Anglesey (30) and Merioneth (32), inns, taverns and alehouses, though the 16 in Beaumaris may not be included in the total of the island shire. Despite their lack of clear definition and completeness the figures are not without value in essaying to compute the comparative prosperity of the different shires at this period ; it is to be regretted that the officials of the remaining shires were not more obedient.

The difficulties which faced the Council in its attempt to maintain order and give justice receive further illustration on one side from a lengthy document labelled ' For Tracks,' [1] undated but probably issued in or about the year 1570. A petition had been presented to the Council from ' the Knights and Burgesses of the towns and 12 shires of Wales,' asking for revision or at least re-interpretation of a clause in the Act of 1543 which completed the work of Union. The method of following the tracks of stolen cattle since that Act ' from township to township '—the township in which the track was lost being responsible for the recovery or cost of the cattle—has been, they allege, productive of grave abuse, so much so that ' the grief is at present intolerable.' Beyond the difficulty and often the impossibility of distinguishing specific tracks on highways trodden by hundreds of cattle, often it might be over hard and rocky ground, and the fact that the cattle were often hidden in the neighbourhood and a false track followed, ' the thief himself being most busy and earnest upon the track,' the ease with which compensation might be recovered had led men to kill their beasts or ' sell them into some far distant English market,' and then levy hue and cry, demand and obtain damages. Even in cases of genuine theft, the owner ' assured of recompense upon delivery of track before the Council, is more careful how and where to find and deliver a track than to pursue the felon.' Perjury, organized and constant, had brought hundreds of honest poor men to ruin, and ties of kindred or other alliance prevented the carriage of justice ; the owner recompensed, the felon might return in safety. To remedy these evils the petitioners beg that ' the old custom ' may be restored, i.e. that tracks may be followed from one lordship or commote to the next, judgment being given at the next leet or law day in the lordship or commote wherein the

[1] Pp. 63–4.

track was lost, the 'homage' there 'being neighbours and thereby on the fresh scent.' All the ills of which complaint is here made cannot be laid to the Act of 1543, for cattle stealing flourished from time immemorial here as elsewhere. Only after great labour could Bishop Lee report that there was little theft of this sort because there was no market for cattle of doubtful ownership. Nor, it may be added, does the suggestion of the petitioners appear to solve all the evils against which they petitioned. Yet it was probably true enough that the carriage to the Council of cases of this sort, wherein local knowledge was essential to procure a right verdict, gave increased opportunities for false accusation and evasion of the legal penalties of such offences, and it unquestionably increased the amount of the costs. The Council met the appeal by restoring the custom of following tracks from commote to commote whilst retaining its own jurisdiction in such cases, The petition and its answer are of interest as showing how the Acts of Union were working out, or not working out, in detail, as also in displaying the Council as a modifier of Parliamentary legislation. The measures taken were not however universally satisfactory in Wales. A few years later, in 1572, the Council records [1] that although they have been 'of great service' they have done harm in the shires of Glamorgan and Denbigh because the size of some of the hundreds there resulted in people being fined 'for felonies of which they had no knowledge.' For the hundreds of Caerphilly and Llantrissant in Glamorgan and that of Chirk in Denbigh therefore, the ruling of the statute is restored. In 1587 the hundred of Neath in Glamorgan was for the same reason added to the three already excepted, on petition from some of the justices there.[2]

A passing reference to the same subject occurs in a document [3] which is however of more importance for its information as to the keeping than the stealing of cattle. Whilst the Register contains practically no reference to the Inclosures of the period —slight negative evidence as to the extent of the movement within its commission—there was considerable complaint that people were being almost as effectually deprived of the use of the pasture in another way. A strong petition reached the Council from the counties of Montgomery and Radnor complaining that the extensive common which 'as far back as can be remembered' the freeholders there had enjoyed of right, had within the last twenty years been much curtailed. Certain people had acquired cottages and freeholds—and consequently rights of common—for the express and sole purpose of putting to feed on the hills and mountains not only their own cattle but also those of strangers. Scarcely could the hill pasture support such numbers of cattle in the summer ; in the winter the cattle of the genuine freeholders of the shire died for lack

[1] P. 98. [2] Pp. 231–2. [3] Pp. 105–7.

of sustenance. The petitioners more than hint, it is worth noting, that the evil like that of the cattle stealing is a result of the 'shiring' of 1536. 'Before these counties were subjected to the laws of this realm these and other enormities were presented in the Leet Courts of the manors and lordships and the offenders condignly punished to the great wealth of the inhabitants of these counties'; now, these offences are not 'inquirable' and cattle stealing also is much increased. To guide the Council in enacting remedial measures the petitioners append to their statement of grievances a copy of 'the ancient and laudable usages touching commons and wastes in the counties of Montgomery and Radnor . . . drawn up by memory of man as well as by ancient records, evidences and charters always ready to be shown and proved.'

On the receipt of this the Council despatched letters to the Sheriffs of Montgomery and Radnor, and also to those of Brecknock, another of the shires created in 1536, and Merioneth, ordering them to make strict inquiry into the subject of the petition and report thereon to the Council. Whilst the sheriffs of Merioneth and Brecknock pleaded lack of time to make such a return by the date set down, the reports from Radnor and Montgomery confirmed the statements of the petition and urged, as a remedy, that no one should be allowed to take for the summer more cattle than he could find food for in the winter. The Council hereupon, moved by this and also by the 'great complaint' previously sent in from all four counties, in January 1574 drew up and despatched to the sheriffs and others whose names were to be, but are not, subscribed in the Register, a list of articles to be executed. Details of all those who take the cattle of strangers are to be obtained from juries of six appointed for the purpose in each 'division' of the shire. These keepers of strangers' cattle the Commissioners are to 'deal' with, limiting the number of cattle they may keep in summer and binding them over not to exceed that limit. Any refusal to be so bound over is to be reported in the account of their doings which is to be sent in to the Council before three months are gone. Whilst we find no mention of this report we are not wholly without evidence as to the reception of these measures. Seven months after the Commissioners were appointed, a suit was in progress before Sir John Throckmorton, Justice of Chester and therefore holding the great sessions in Montgomery, with Edward Herbert and others of the justices of the peace and gentry of that shire as plaintiffs against twenty-four other persons representing certain freeholders and inhabitants of the shire who 'felt themselves aggrieved' by the action of the Council and were charged, it would seem, with infringement of its ruling.[1] The account of the suit breaks off abruptly, but from the end of what remains it would seem that Herbert

[1] Pp. 112–14, 121, 26 Aug. 1574.

and his allies won their case. The documents illustrate the effects of the Union on a matter not without importance : the use of the newly ' shired ' land by English, or at least non-resident cattle breeders ; the attempt, apparently successful for the time, to preserve the commons for the resident freeholders ; and the action of the Council in matters connected with land and claims of ancient rights thereon.

Whilst all this betokens a readiness to appeal to the powers in existence on matters relating to the land, which touched the inhabitants of all these shires very nearly, there is little evidence in the Register of interest in the representation in Parliament which all the Welsh shires acquired by the Act of 1536. Indeed there is but one reference to Parliamentary elections. Before the election of 1571 report was current that in Merionethshire fair election of the knight of the shire was to be prevented ' by outward signs and tokens of brag.' The Council, moved by this and also probably in part by the letter which the Privy Council had previously sent out urging those concerned ' to have good regard for the election,' took the precaution of warning the sheriff and justices of their duty in the matter, and of the pains and penalties provided by statute for the bearing of weapons as for any default on their part.[1] A charge of wrongful tenure of the writ for election of the burgesses to represent Haverfordwest in 1572 was referred to the Council for settlement by the Privy Council,[2] but the Register gives no information on the subject.

III. THE REGISTER AS A RECORD OF GOVERNMENT

(*a*) THE COUNCIL

What has been said so far is intended to be indicative of the value of the Register for the study of the conditions prevailing in Wales and the Marches in the latter half of the sixteenth century, but it in no sense pretends to be exhaustive of what new information the record gives us for that as yet somewhat dimly illumined period of Welsh and border history. In addition however the Register is the record of a scheme of government, it is concerned with the results of the complete statutory Union of Wales with England. It begins just when the generation which had seen that Union accomplished was passing away. The vast majority of those under the sway of

[1] Pp. 94–5. Hugh Owen of Caerberllan represented Merioneth in this Parliament (Williams, *Parliamentary History of Wales*, 1895, p. 114). Note is made of the letter of the Privy Council in *A.P.C.* viii, 1571–5, p. 15. Seyer, *Bristol*, ii, 243, records ' great variance ' at Bristol about choosing the burgesses for this Parliament.

[2] *A.P.C.* viii. 1571–5, p. 77. Pennant, *Tours in Wales*, details the unsuccessful attempt of the Earl of Leicester to secure the nomination of the burgess to represent Denbigh for the Parliament of this year.

the Council at this time would be under age at the time of the completion of the Acts of Union. Wales was now all shires and hundreds ; sheriffs, justices of the peace, constables and all the rest of the Tudor paraphernalia of local government were household words : the old order was gone, the Register is the witness to the fulfilment of the new.

It would be out of place and also an attempted repetition of what has already been performed,[1] to discuss here in any detail the content or the tenor of the Acts of the reign of Henry VIII by which Wales was finally incorporated with England, or the powers conferred by the last of those Statutes,[2] or by special Instructions, on the Council in the Marches : so too, no comparison is attempted with the parallel Council of the North.[3] The Register, and therefore this Introduction, is directly concerned with neither the period in which the powers of the Council were built up—the Instructions issued and reissued during this period were definitive rather than creative—nor on the other hand with its decline and fall under the Stuarts. The Register comes in between, covering in an incomplete and sometimes almost desultory manner the major part of the longest of the Lord Presidencies of the Principality and its Marches. In point of time it represents a period just half way between the foundation of the Council in 1471 and its final dissolution in 1689 ; and the position and power of the Council give, on the whole, a fairly accurate reflection of the time of life which it had reached. The evidence already extant suggests this conclusion, which is confirmed by the contents of this Register. It displays the somewhat monotonous labours of a group of officials who were, to judge from this record, painstaking and conscientious. Their chief difficulty lay not so much in the disturbed condition of the region they were set to govern as in the inevitable, indeed innate, uncertainty of the bounds and limits of their power. It was never really clear for what persons and causes exemption from their authority might legitimately be claimed, how far the all-embracing activity of the Privy Council, or the zeal of the Courts at Westminster, might check and control their actions. And the tide had more than turned towards the ebb ere Sydney died. With more of the trappings of office and greater elaboration of the ritual of authority, the real power of the Council

[1] Skeel, pp. 37–48 : Tout, *The Shiring of Wales* in Y Cymmrodor, ix, p. ii, W. Llewelyn Williams, *The Union of England and Wales*, in Trans. Soc. Cymmrodorion, 1907–8, p. 47.

[2] Stat. 34 and 35 Henry VIII, c. 26.

[3] Miss Skeel (pp. 276–77) has indicated the main points of contrast and likeness in the two Councils (cf. also Prothero, *Statutes and Constitutional Documents*, pp. cix–cxii). More detailed comparison will be fitter when the history of the northern Council is written more completely than in the scattered and incomplete notices which are all that at present exist, and this, I understand, is in fair way of being done.

had begun to show a decline. Bristol and Gloucester had been exempted from its jurisdiction, Worcester had made its first attempt to gain the same freedom. But the end was far off yet, and the Council was to call forth both the legal knowledge and the forensic skill of Francis Bacon in its defence, and the lyric beauties of Milton in *Comus*—as a swan song—before the Long Parliament swept it away.

The Act of Union of 1543 had declared that there should be a President and Council for Wales and the Marches, 'which President and Council shall have power and authority to hear and determine by their wisdoms and discretions such causes and matters as be or hereafter shall be assigned to them by the King's Majesty, as heretofore hath been accustomed and used.' The powers thus briefly recognized by statute were defined more fully in the various series of royal Instructions of the period covered by this Register.

The Council at this time consisted of twenty members nominated by the Crown. It was presided over by the Lord President, or in his absence by the Vice-president, next to whom in importance came the Secretary who, with two other Councillors, was required to be in almost continual residence for the business of the Council. In addition to certain officers of the royal household the Council included amongst its members some, if not all, of the Bishops of Wales and the border shires, the Justices for the Great Sessions there and other members of the most important local families. As a court the Council, in addition to the Councillors, had its equipment of attorneys, clerks and court officials, its Serjeant-at-arms and (later) its Usher. The accounts of the court were kept by the Clerk of the Fines. The Council possessed its Steward of the Household for Ludlow Castle, and of course the Lord President and other members had their personal retinues, for which they received an allowance. There was a learned minister 'to preach and use the Common Prayer with due administration of the Sacraments' for the Council, with fee of £40 yearly, or less 'if he shall not be of sufficient ability to preach.' The Clerk of the Council was responsible for the safe keeping of the records, there was a Keeper of the Armour and Artillery, and so on to the unofficial and possibly undesirable numbers of people which the presence of so important a governing and judicial body inevitably attracted to any place. Chief of these places was Ludlow, whose castle still preserves more than the shadow of its former greatness in the evidences of the repairs and alterations made by Sir Henry Sydney during his residence there. The Council held session in other places on or near the border however—in Bewdley, Shrewsbury, Hereford, Bridgenorth, Worcester and elsewhere, guiding its movement by necessity or convenience rather than by any fixed rule of rotation, but always looking for headquarters to the castle in Ludlow—

a toun of noble fame:
A goodly seate where oft the Councill lyes,

as its sixteenth-century poet Thomas Churchyard called it.

The Instructions of 1574 described the Council as necessary for 'the continuance of quietness and good government of the people and inhabitants within the Dominion and Principality of Wales and the Marches of the same, for good and indifferent administration of justice to be there had between party and party.' The jurisdiction of the Court, the centre of the Council's activity, extended over the twelve Welsh shires, Monmouth and the four English border counties—Hereford, Gloucester, Worcester, Salop. The Council was commanded by the Instructions to act both as a civil and as a criminal court. It was to punish the breach of all penal statutes, to repress all murders, riots, conspiracies and felonies of all sorts, even employing torture if necessary. Cases of extortion, of the perjury of jurors—apparently a not uncommon weakness—corrupt practices of all sorts on the part of the shire or municipal officers, were all to be inquired into and punished. As a civil court it was especially charged to hear complaints and petitions from those poor people of the shires and cities within its jurisdiction who were unable to sue or obtain justice by course of common law. Piracy and wrecking, the wearing of weapons at assemblies and fairs, the making or spreading of seditious tales and rumours which might breed or harbinger political disaffection were specially mentioned as requiring the Council's attention. So too claims to special privileges and 'pretended' exemptions were to be carefully inquired into. The execution of the Act of Uniformity and of the acts against recusancy has already been mentioned as forming a part of the Council's work. On the more purely economic side it was responsible for inquiry into inclosures, cases of villein service or other manorial disputes. Regulations for the holding of the Court and the procedure to be adopted there, for the number, duties and fees of the various officers employed therein, the assessment of fines, the keeping of prisoners and so forth are given in detail in the various sets of Instructions.

As the Council was responsible to the Crown, in practice mainly to the Privy Council, for the order and good government of Wales and the border shires, it possessed considerable power over the various local authorities. The sheriffs and justices of the peace were nominated by the Lord President and Council, to whom they were answerable for delinquencies or abuses and by whom they could be punished with fine or imprisonment. The regulations for the holding of the local courts were to some extent in the hands of the Council, which also fixed the legal fees to be taken there. As intermediate between the Crown and the local authorities the Council received and again sent out through the shires royal proclamations,

statutes and the behests of the Privy Council on all subjects, from religious uniformity or military training to the tanning of leather or the making of soap. Military affairs, as already illustrated, occupied a prominent place in the work of the Council. Its President was Lord Lieutenant of the shires within its jurisdiction, and in this period the Council was very frequently occupied with the arrangements for the levying and training of soldiers, their despatch to Ireland or elsewhere, the defence of the coast, the supply of horses, arms and munitions, with the attendant tasks of checking extortion and unfairness in the levy of men and money and the placating of the popular dislike to the system of musters.

The powers and duties of the Council, here outlined in briefest form, are exhibited with some detail in this Register, though the incompleteness which has been pointed out earlier in this Introduction precludes any claim that the Register is a full record of the activities of this body. The Register tells us a little, though disappointingly little, of the group of men who made up the Council in this middle period of its history. Of Sir Henry Sydney, in addition to the frequent occurrence of his name under the account of the proceedings over which he ruled, there are a few more personal notices. There is a letter of his from Hampton Court, forwarding to the Council one sent to him ; its orders concerning tanning he prays consideration of ' so that we within our charge be not found negligent to put our helping hand to so good an art.' Another from Gravesend, sending on a letter received by him concerning the fuel allowance of the Council, shows Sydney's methodical care for details and the close touch he maintained with the Council's economy, in its advice that the enclosure ' be kept and registered.' Preceding a copy of the Commission appointing him to Ireland in 1575, occurs a notice of his journey to take ship near Beaumaris. A record to which Sydney's own name is attached tells how the reported disorders in Wales during the Lord President's two years' residence at Court ' has been imputed by her Majesty to the said Lord President as a great default.' This was part of the cloud under which much of Sydney's work was done.[1] The name of Philip Sydney occurs, in addition to the instance already mentioned, in the record of a dispute between his friend, Fulke Greville, and Charles Foxe, for the office and fees of the Clerk of the Signet. Sydney is joined with Sir Thomas Leighton as arbitrator in the dispute, decision being given for Greville.[2]

There are some notices of Sydney's colleagues on the Council, including the Commission for the appointment of Sir Andrew Corbett as Vice-president in 1575, divers orders signed by him, and notice of a report of his to the Queen

[1] Pp. 124, 143, 191–2, 227. The Commission is dated 5th Aug. 1575.
[2] Pp. 210–11.

that he had not enough helpers in his work, which led to the appointment of three new Councillors. There is finally the notice of the appointment of Bishop Whitgift as successor on Sir Andrew's 'humble suit,' by reason of his illness.[1] Concerning that successor, more famous in other fields, we are given but the notice of appointment and a number of orders signed by him.[2] For Sydney's own successor, the Earl of Pembroke, beyond the repetitions of his name, the Register preserves but one notice, of the summer of 1586. This nominates Fabian Philippes, a justice of assize for South Wales and a member of the Council since 1575, to attend at the Court instead of going on circuit on account of the Lord President's 'indisposition.'[3] Gerard, one of the most influential members of the Council in Sydney's day, and well known for his detailed criticism of the Council as he knew it, is mentioned several times. He was unable to travel and hold assizes through illness in 1570, and again in 1572, was concerned in the dispute over the election of coroners in Glamorgan, and again was responsible for the inquiry into the complaint of the injustice to Glamorgan and Denbigh by the Council's order for tracking cattle.[4] Sir Hugh Cholmondley is mentioned as restored to the Council in 1575, though when and for what reason he was removed we do not know; Phetiplace, another of the Council, is empowered to appoint deputies for his Great Sessions in South Wales on one occasion; Sir John Throckmorton is granted allowance for his coming and going to attend the Council, on another;[5] and there are other similar entries of minor import.

Beyond the personnel, the officials of the Council find mention in the same irregular though natural way. The attorneys of the Court are mentioned chiefly as having increased too much in number; complaints of this occur in all the Instructions issued to the Council. Whilst it probably indicates a growth in the amount of business transacted in the Court of the Marches, it was also, one may judge, connected with the complaint that the court was poaching from the lower courts, in this case the common law courts. In 1570 there were twenty-three attorneys, and in accordance with the royal Instructions of that year order was made to reduce the number.[6] No more were to be made until there were fewer than eighteen, above which the number of attorneys was not to rise. Each attorney was to have but one clerk, a certain 'reasonable number' of other

[1] Pp. 144, 145-6. [2] P. 173, 11th August, 1577.

[3] P. 232. A letter from the Privy Council. Philippes appointment to the Council is recorded on p. 146. Gerard then described him as 'a young man, an utter barrister of small experience at the bar or bench, of no known living saving a bailiwick or stewardship.'

[4] Pp. 84-5, 97, 98.

[5] Pp. 51-2, 144-5. Cf. Skeel, 89 for Throckmorton in this connection. There is a brief account of Cholmondley in the *Dict. Nat. Biog.*, but no reference there or elsewhere that I have been able to discover to his displacement and restoration.

[6] P. 82.

clerks being appointed by the Council. This, it may be added, was within two days of an elaborate setting forth, for the benefit of a deputy attorney newly appointed on recommendation from some of the Privy Council, of the privileges of attorneys in regard to the viewing and copying of records and reports.[1] But in addition to the increase of the number by patronage, the Council itself did not hold to its own decisions. In the next year, 1571, one of the attorneys died ; the Council straightway, in direct defiance of its own ruling, promoted one of the clerks to fill his room.[2] Eighteen months later the Council placidly repeated its resolve that as the number was still above eighteen, no more were to be allowed ' until death, resignation or displacement ' should reduce the number to that level.[3] In 1577 the complaint of the too great number of attorneys and clerks was again made and reduction ordered. When the Earl of Pembroke succeeded Sydney in 1586 there were twenty-four attorneys and one hundred and twenty clerks ; but by 1591 the number had at last been reduced to eighteen.[4]

The Clerk of the Council during the greater part of this period was Thomas Sherer. Much of the Register was his work, or at least supervised and signed by him. The zeal Sydney himself displayed in caring for the records was reflected in Sherer, to judge from a petition he presented to the Council in 1570. He complained that the existing ' office ' for the records had damaged them because of its damp stone walls, and it was also too small, and unfurnished. In reply the office is ordered to be ' edified, repaired and builded ' as Sherer thought fit.[5] Sherer was also Clerk Examiner for the examination of witnesses, for which office rules were laid down in 1570, the fees being given in great detail as part, and doubtless to the keeper of the Register a most important part, of some general order of the Council respecting legal fees and duties.[6] Work of a miscellaneous character came to the Clerk in virtue of his office : in one instance he is found acting as trustee for a sum of money for some children ; again in a case of disputed title to land, involving protracted legal proceedings, the rent is to be paid into the hands of the Clerk until the case is decided. In 1574 he was on a commission for taking bonds in Shrewsbury, where indeed he was a person of importance ; Sydney in 1575 invested Sir Andrew Corbet as Vice-president in his house before setting out for Ireland ; [7] Gerard had married his sister. References to the other officials of the Council occur much less often

[1] Pp. 79–80.
[2] P. 95. The oath to be taken by him is also given.
[3] P. 97. [4] Skeel, 96 and 121. [5] Pp. 93–4. [6] Pp. 107–8, 114, 119.
[7] Pp. 77–8, 101–2, 104, 125, 143. Receipt of rent for one year and a half is recorded in the Register. See also Owen and Blakeway, *Hist. of Shrewsbury*, i, 363. A Shrewsbury petition of 1583 to the Council begs that Sherer might be one of two Commissioners to inquire into a case of alleged assault (Skeel, 227, from Shrewsbury MSS.).

Beyond the account of the dispute between Greville and Fox for the office of Clerk of the Signet there is little or no direct reference to its holders though frequent mention of the use of the seal.[1] The duties of the Steward of the Household in regard to the Council's right of Purveyance are laid down in 1582 in consequence of a Worcestershire complaint of extortion.[2] The names of the pursuivants of the Council are given on several occasions ; also a list of their fees as regulated by an order of 1574.[3] For the Porter or Jailor of the Council, who kept a ' lodge ' for his prisoners, we have the list of fees and charges for food which he might take from those committed to him.[4]

All these officers, and more, were in existence long ere the Register begins, and there is not sufficient information given there to judge whether any serious alteration of their duties or status took place in the period covered by the Register. In the main, and especially for the offices of lesser importance, the Instructions issued from time to time merely repeated what had been said in previous Instructions. But there is one office, not it is true of great importance, of whose genesis the Register bears record. Be it growth of business, or emulation of the superior courts, or the desire to please, the Council in 1574 determined to have a Marshal for their court, to see the court was clean before sittings and the cushions for the chief officers duly laid, to cry ' Oyez ' and maintain order, to give oath and if necessary to act as messenger. As a certain Hugh Shadwell had letters recommendatory to the Council from the Earls of Warwick and Leicester he was appointed to act in the office ; his articles of service and his fees are detailed.[5] This office is presumably one of those ' new and unnecessary offices ' which the Earl of Pembroke found in existence when he became Lord President.[6] The office of Auditor of the Fines may have been another, for although audit by the Lord President and two of the Council was commanded in the Instructions of 1574, there is no mention of a special officer for that purpose, natural though it would be to have one. The office was certainly in existence some time before 1586, when a new appointment was made by the last order to which Sydney's name is appended.[7]

(*b*) THE COUNCIL AND THE CROWN : RELATIONS WITH THE PRIVY COUNCIL AND THE COURTS AT WESTMINSTER

The position of the Council, intermediate between the Crown, the Privy Council and the Courts on the one hand and the local authorities of Wales and the Marches on the other, make it simplest to look at its activities, as portrayed in the Register,

[1] E.g. p. 84.
[2] Pp. 114, 166–7, 232–3.
[3] P. 109 *seq.*
[4] Pp. 215–16.
[5] Pp. 80–1.
[6] Skeel, 114.
[7] Pp. 229–30 and note.

in these two relations. On the one side the Council, as the local representative of the Crown, is the recipient of commands and injunctions from the Queen, the Privy Council or the higher courts, chiefly in the Register that of the Exchequer. On the other the Council performs what we may call its ordinary or routine work, in virtue of the powers and duties conferred by statute or by the series of Instructions issued and received from time to time, at least from 1570 onwards. The distinction is not absolutely correct nor finally complete : the execution of the commands or injunctions of the Privy Council was, by implication at all events, as much part of the Council's work laid down by statute or instruction, as any power of local administration or legislation. And just where came the line marking the division between the autonomous action of the Council and its subservience to the higher powers was, as the Register shows, not always clear then ; it is certainly no more easily discernible to-day. Nevertheless the distinction is convenient, it saves a certain amount of repetition and, with this preliminary warning, is not misleading.

To consider first the relations of the Council with what we may term the higher powers : the Register preserves not a few documents of various sorts issued directly by the Crown—instructions by letter or otherwise, grants and appointments concerning the Council or those within its jurisdiction, royal proclamations and the like. Most important are the Instructions issued and re-issued during Elizabeth's reign, of which some are entered in the Register.[1] The letters which the Council or its Lord President received from the Crown are to be distinguished from those which the Council sent out in the Queen's name by virtue of the Signet in its possession.[2] The former are either covering letters forwarding others of a more general nature for the shire officials, or letters addressed to the Lord President (or Vice-President) for levies of soldiers, the admission of new Councillors or other special matters, such as that dealt with in a letter of 1580 wherein Sir Henry Sydney is desired to ' deal effectually ' with certain inhabitants of the Forest of Snowdon who have refused to pay the Earl of Leicester for their lands.[3] Of grants there are entered Sir Henry Sydney's appointment to Ireland and those of Sir Andrew Corbet and later Bishop Whitgift to the Vice-Presidency, the last of these not elsewhere printed.[4] In 1560 the Council was granted money from the Fines of the Court to repair Ludlow Castle and the other royal houses there which, the Queen was informed, were ' in great ruin and decay ' ; the licence for the Council to hunt in and receive twelve head of deer annually from the royal forests in Wales and the Marches

[1] Pp. 80–4, 1570 ; 120, 1574.
[2] E.g. pp. 55, 98.
[3] Pp. 67, 115, 122, 145, 160–1, 194, 225.
[4] Pp. 143–4, 173. Strype, in his *Life and Acts* of Whitgift mentions the appointment without giving the Commission.

is also given.[1] It was apparently the rule for the Clerk of the Council to register the proclamations received from the Capital before distributing copies through the shires, quite a number being found in the Register.[2] Beyond this there is very little in the Register to show that Elizabeth had any special or personal relations with the Council or its leaders, though of course Sydney was courtier and Privy Councillor as well as Lord President. Unlike Mary, Elizabeth had never had special rights over Wales conferred on her as a princess. But one entry shows her anxiety to be well informed of conditions there. In granting to Sir Andrew Corbet the release from office which he desired on account of his health, Elizabeth requires him to repair to her presence as soon as possible as she is anxious to learn from his own lips of 'the state of the Marches.'[3]

The most outstanding of the links which bound the Council to the government at Westminster was of course the bond which existed between it and the Privy Council. The width of the activity of this latter body in Elizabethan days needs no urging here though the Register is far from barren of illustration thereupon. The power of the Privy Council over the local body was very great. The instructions on which in the main the duties and privileges of the Lord President were founded were drawn up by the Privy Council.[4] Further, the powers of this body over the Ludlow Council were undefined, and in this case, as in the much greater and more famous example furnished over two centuries later, by the confederated states in America, powers which were unwritten could expand disproportionately. The requirements which the Privy Council laid upon the shoulders of its handmaiden in government, as a rule for transmission to the different shires of Wales and the Marches, were of great variety. The normal method of procedure was for the Privy Council, in sending out commands for the sheriffs and justices throughout the country, to enclose a copy of the general letter in a covering letter to the Council, this latter usually no more than an abbreviated copy of the more general epistle. This distinction the Council shared with the Council of the North, whose position and relations with the Privy Council were of course similar and in many ways identical with those of this western Council. No small portion of the Register is taken up with these letters which the Clerk faithfully copied in, usually preceding the orders by which sometimes within a week, sometimes several months later, the Council ordered the local application of the commands it had received.[5] In all over thirty

[1] P. 51.

[2] P. 93, against seditious persons; 104, against slanderous and seditious books, and against despisers and breakers of the order prescribed by the Book of Common Prayer, and the like; 119, 165, against excess in apparel.

[3] P. 173. [4] Skeel, 272.

[5] E.g. pp. 131–2, 168–70, etc. In 1575 (pp. 146–8) a gap of two months came between.

are given. Naturally these letters are of more direct concern for the Privy Council, and they are frequently of much more value for its detailed intentions than the brief notices of business which the Privy Council Register itself preserves. The signatures, too, though only copies, of course, add a little to the value and interest of the record.[1] Of letters sent by the Marches Council to the Privy Council the Register only preserves two, one in answer to a demand for an inquiry into a reported false levying of money in the shires, the other, likewise a reply, enclosing a schedule and petition of the tanners of Wales.[2]

So much of what is said elsewhere of the position and work of the Council bears, directly or indirectly, on the orders received by it from the Privy Council that it would be mere repetition to go over in any detail the matters in which the Privy Council 'prayed and required' or 'required' the local body to take action.[3] And many of the commands so issued were likewise sent to the local authorities in every shire in the country. Most prominent are the letters dealing with defence and military matters in general, some of them already referred to. Occurring fairly frequently are orders relative to the restraint of the export of corn, the execution of the statutes against vagabondage and the supervision of alehouses and matters of like import. A typical minor case is one in which the Privy Council has been appealed to from Monmouth on behalf of a certain Thomas Powell, victim, it is said, of some 'partial dealing' in his trial as accessory to a murder. The Council is desired to make inquiry into the matter, referring it again to the next Assizes in that county.[4] In addition to the cases recorded in the Register, there were numerous other instances where the higher body exerted its authority by command, exhortation or request. The Privy Council Register itself indeed illustrates very well the manifold activity of that body in regard to Wales and the Marches—the putting down of open disorder on land and sea, the suppression of rumour, the punishment of failure to fall in with the religious settlement or the restraint of too great zeal to profit by the economic tendencies of the period.[5] Sydney's absence in Ireland probably threw most of the authority of the Council into the hands of the superior body, and on his return he was himself for some time an active member of the Privy

[1] It is perhaps worth noting that the lists of signatories to these letters here given do not always agree with the lists of those present at the meeting of the Privy Council at which the despatch of the letter was ordered. The difference, where it exists, is probably to be explained by the fact that the letters were signed and sent out on the day following that of the meeting at which they had been ordered. And Professor Pollard has noticed that the Privy Council Register was often signed up to date some time after the entry of events by the clerks.

[2] Pp. 77–8, 127–8. The second of these breaks off abruptly.

[3] P. 234, 'pray and require'; p. 117, 'desire'; pp. 108, 167, 'require.'

[4] P. 209.

[5] See the examples gathered in Skeel, pp. 97–105.

Council in attendance upon the Queen. The Privy Council exercised a certain amount of patronage in regard to the offices attached to the Court at Ludlow, examples of whose exercise are found in the Register.[1] It is not possible, however, to deduce with accuracy from the records of either Council what changes were in progress during this period in their relations with each other, though on the whole one is tempted to see advance on the part of the superior body, part of its general increase in activity at this time.

There is little in the Register to suggest that the Council objected to the supervision of the sovereign body. Its attitude, as seen in its execution of the Privy Council's commands here illustrated, was as filial as could be wished. It executed without comment, or rather, a slightly different thing, it ordered the execution of the commands received, and in due time, if necessary, certified the higher Council thereupon. The Privy Council occasionally mildly rebuked the local body for its falling short in the execution of the Statutes against vagabondage, recusancy and the like, but almost without exception the Council behaved in docile manner. The sole instance here recorded of anything to the contrary occurs in connection with a letter which the Privy Council despatched on behalf of one Evan Lloyd, of Merionethshire, for whom it desires liberty to travel about visiting his friends to gain help towards the repayment of his debts. This was in 1569. In the following year they write again, as their licence has been 'restrained by some prohibition from your lordships,' to ' pray and require ' the Council to remove all such impediments, his cause being so good.[2] As no further correspondence is entered we may probably infer that the Council acted as it was desired. This is the only instance in the Register: it is sufficiently trivial, and the careful entry of both letters may suggest the rarity of any such friction. In one case recorded in the Privy Council Register, a man who had refused attendance on the local Council alleged his intention, and right, of appearing before the Privy Council. That body, however, informed the Council in the Marches, and upheld its authority in the matter.[3]

There is a change of atmosphere when we turn from this survey to the record of the occasions on which the Council in its legal work came into contact with the courts at Westminster. Just when a case might be exempted from the jurisdiction of the court at Ludlow was, and apparently remained, a debatable point. Although the Court of the Marches might be open to the accusation that it had stretched too far its judicial authority over the shires within its commission, to the hurt of the local courts there[4] and consequently to the damage of the royal revenue from those courts, it was not at all willing to see what it regarded as its own province invaded by the higher courts, or

[1] E.g. pp. 79–80. [2] P. 234. [3] *A.P.C.*, x, 217.
[4] Skeel, pp. 117–18.

those under its jurisdiction pleading elsewhere. In 1585 the Council complained, in an order to suppress outbreaks at assemblies [1] that—

> 'although the chiefest cause of the establishment of this Council in these parts is to keep the country in quiet by suppressing such disordered attempts, yet such is the malice of the people that rather than make complaint or information to this Council they will revenge their supposed injuries and prosecute one another by extreme expense and travail out of the limits of this Court, being specially appointed to redress the same.'

Again in 1588 'one John Yernold, a disobedient person,' is ordered to be brought from the Fleet, where he has been placed by the order of the Lord Chancellor for contempt of the Council's jurisdiction.[2] In 1580 the Council petitioned the Lord Chancellor that as a certain John Hughes had, contrary to an order of the Court, sued no less than seventeen persons to appear at Westminster, his lordship would inquire into the matter and, if the petition from the seventeen persons from Montgomery was justified, take such order for Hughes 'as may breed in him a more quiet disposition henceforth'; they also ask that Hughes may be sent to them for punishment for breach of their order.[3]

It is rather to be wondered at, even remembering that this Register is not primarily a legal record, that it contains but a single reference to the Court of the Star Chamber,[4] for the connection between the two courts was fairly close and continuous in work as in origin—both defined by statute, though in neither case so originating nor ultimately bound thereby, both engines of the royal prerogative, both finding their *raison d'être* in the repression of licence and disorder, both open to question as parliamentary feeling against royal privilege grew, both falling before the first attack of the Long Parliament. This absence of any record may at all events be taken as significant of fairly harmonious relations; frequency of intercourse is proved from other sources.[5] But if the conflict of court with court be at least the salt of legal history, there is some compensation for this lack in the record given in the Register of the skirmishes between the Court of the Marches and that of the Exchequer. There are two cases of serious divergence of view on the part of the two courts which are of no small interest, and which have not, so far as I know, found mention in other printed sources.

[1] Pp. 227–8. [2] Pp. 232–3.

[3] Pp. 197–8. An entry of the reign of Edward VI which has found its way into the Register (p. 48) shows the Council in the Presidency of Bishop Sampson protesting against a writ of *Certiorari* issued in connection with a matter depending in the Marches Court.

[4] P. 119, the decision in favour of the Council's authority over Worcestershire. [5] Skeel, pp. 274–6.

The first dispute arose out of a suit between Richard Bulkeley, Esq., and his step-mother, Agnes or Anne Bulkeley, for possession of the lease of certain royal lands. Sir Richard—to give him the title he obtained in 1576—had already filled the offices of Sheriff and Knight of the Shire for Anglesey, Mayor of Beaumaris and Constable of its Castle, was one of the greatest personages in his shire, and, most important in any dispute, was a favourite of the Queen and one of her gentleman pensioners.[1] He was somewhat unfortunate in his relations with other people, and not least with his family, for he later quarrelled with his own son, with two at least of the other gentlemen of the neighbourhood, and with the Earl of Leicester, though in the last instance at least it would seem on reasonable grounds. In the present case, though the merits of the rival claimants cannot be determined, Sir Richard's methods are more open to question. The suit was begun in the Court of the Council and not in the lower courts, either because of the fact that it concerned lands belonging to the Queen, or because of the importance of the parties to it and the poverty of the widowed Dame Agnes, the plaintiff. The hearing was opened in September 1573, but it was delayed ' by the thwarting of Mr. Bulkeley ' says the Council. Apparently whilst not openly refusing to acknowledge the authority of the Council, the defendant was yet doing all he could to have the case removed to Westminster where, known to the Queen and so more powerful with the authorities, his chances of success would be as much increased as those of his already impoverished relative would be diminished. For this removal he found a plea in the fact that the lands concerned were royal property. In March 1574 the Privy Council requested the Lord Keeper to take some action in the matter,[2] and in June the Court of Exchequer issued a writ of Inhibition, forbidding the Ludlow Court to take any action in the suit as ' contrary to the jurisdiction of the Court of Exchequer.'[3] This writ (as a marginal note very plainly puts it) ' the Council thought ought not to be allowed.' To recognize such a writ, the first of its kind, would be a precedent fraught with danger to their jurisdiction, as all the Queen's farmers would in future claim like exemption. The Council's statutory powers, they argued, allowed them to settle such cases ; the royal authority could not be impugned by their decision, as whoever won would hold from the Crown ; finally they were

[1] There is a notice of Sir Richard in *Dict. Nat. Biog.* ; his relationship to Agnes Bulkeley is established from the table in T. Nicholas, *County Families in Wales*, 1872, i, p. 39. He is entitled gentleman pensioner here and in *A.P.C.* viii, 137. For his disputes, *Dict. Nat. Biog.* ; Pennant, *Tours in Wales* (Ed. Rhys), iii, 391–3 *seq.* : *A.P.C.* xv, 383–4, xvi, 118.

[2] *A.P.C.*, 1571–75, p. 89. Whilst there is no specific reference to details there seems no doubt that it was this suit to which the order refers.

[3] Pp. 119–20. The Register says June, but the Council in referring to it later gives it as delivered to them in October, and it is registered between two documents of date September and October respectively.

persuaded that the obtaining of the writ was ' only a device to delay the suit.' They therefore proceeded with the case.

This brought down on the Council the dignified wrath of the Court of Exchequer in vindication of its writ and to remind the Council of ' the large authority and privilege for Her Majesty's revenues and farms ' possessed by the Exchequer. ' Reason requires, and so do we,' wrote Burghley and Mildmay,[1] making a distinction capable of expansion beyond their meaning, ' that you should write to us and to the Court of Exchequer explaining why you have not allowed the writ, of which consideration shall be taken of the law of that Court, and the result forwarded to you to follow accordingly.' They conclude by distinctly ordering the Council to forbear further proceedings in the suit ' and so,' they add with more faith, it would seem, than logic, ' may both you and the Exchequer be satisfied and no derogation done to either Court.' The reply of the Council, dated three weeks later,[2] was signed by four of the most important and experienced members—Sydney himself, Sir John Throckmorton, William Gerard and the Secretary, Charles Foxe. It details their reasons for ignoring the writ, and goes on to state that they have continued the trial since the receipt of the recent letter from Burghley and Mildmay. Further, they intend to bring the case to a conclusion by submitting it for decision to fair counsel, two chosen by each party, a scheme suggested by Sir Richard himself, as they are careful to remind the Exchequer. They have persuaded the ' poor complainant ' if this fails to submit her case to the Court of Exchequer. At the same time, if this latter court can show that ' in law ' the writ ought to stay their hands, despite their authority, they will conform henceforth. Whilst one may doubt whether the Court of Exchequer would as they hope ' rather approve than mislike ' their proceedings, the firm tone of their letter shows that they realized the importance of preventing encroachment by that Court, and is easily distinguishable from their mode of addressing the Privy Council. Unfortunately, as too often happens in the Register, we hear no more of this affair, not even who won in the suit, either in the Register or, so far as I know, anywhere else. In the matter of jurisdiction, it would seem that later, if not then, the Council gave in, as indeed one would expect. For later in the same year 1575 the Court of Exchequer again writes to the Council on the subject. The Council has refused to hear a case in which the possession of a portion of a royal manor in Hereford was in question. Burghley and Mildmay, moved they say by the plea of poverty made by one of the parties to the suit, now request the Council, their ' former letters notwithstanding,' to give judgment in the matter as, using the argument the Council itself had employed, whoever wins, the Queen's right will not be infringed.[3]

[1] P. 128. [2] Pp. 129–30. [3] Pp. 130–1, 10th June, 1575.

The second instance of conflict with the same Court here recorded was similar, though not identical, and took place in 1576. A suit had been commenced against one Arthur Salwey, a clerk in the Remembrancer's office, for the possession of four salt pans in Droitwich. Salwey had pleaded his constant attendance at the Exchequer, had departed thither without the licence of the Marches Court and had succeeded in obtaining from the Exchequer a writ of *Supersedeas*.[1] This was despite a pledge in writing to the Council 'that his attorney should do what appertained.' The Court had, as before, ignored the writ from the Exchequer and, proceeding with the case, gave verdict against Salwey. At this the Court of Exchequer took umbrage, marvelling at their proceeding 'contrary to the tenor of the said writ and contrary to the jurisdiction and ancient privilege of the said Court, allowed and never denied in any Court.' They had instructed Salwey, they wrote,[2] that he in turn might ignore any order contrary to their writ though they were willing to give the plaintiff 'just trial' in the Exchequer Court. But if the Exchequer could talk thus and make use of the absolute 'never,' so too could the Council of the Marches: privilege such as that pleaded by Salwey 'either from that court or from any other Her Majesty's courts hath not been in this court heretofore allowed,' came the retort from Ludlow.[3] They justified or at all events defended their action, showing how the case had been before them for two years before Salwey had any direct part or lot in it. They felt it incumbent 'for Justice' sake' to take some order and enclosed a copy—which is not preserved—of their proceedings, ending with a pious if (one fears) somewhat vain hope that they had done nothing which the Court of Exchequer might not like, as it had been done in discharge of their duties. In this, as in the preceding case, the Council had the privilege of the last word, at least so far as the Register carries us. The fact that they took the somewhat unusual course of recording their own letters in the Register is some criterion of the importance attached to the matter, though the upshot of the conflict finds no mention there or indeed, I believe, elsewhere. Again, the Clerk of the Council allowed the result to remain unchronicled, a sign, it may be, of the Council's ultimate defeat. At all events we are forced to turn from the survey of the Council's relations with the powers at Westminster with the conviction of its ultimate inability to make effective resistance thereto.

(*c*) THE COURT: THE COUNCIL AND THE LOCAL AUTHORITIES

It must be borne in mind, in discussing how far the ordinary duties of the Council delegated by statute or instruction are

[1] P. 152; on pp. 156–7 the Council recounts the origin of the suit.
[2] P. 156. [3] P. 157.

illustrated by the Register, that the record is not primarily concerned with what was the most obvious and probably the most important part of the Council's work, the sittings and judgments of the Court. Yet although it is Council as Council with which the Register deals in the main, Council and Court were too closely connected for the records of the one to escape any reference to the acts of the other : the same persons were in session, the sittings were at the same place and must often have been at the same time and concerned with the same business. It would be as impossible to separate the two here as it would be in the work or records of the Privy Council at this period. Regulations concerning the officers of the Court were, as shown above, entered in the Register, and the same is true of modifications of legal procedure. Thus in 1570 the Council, we learn, regulated the examinations of witnesses before the Court, and the fees payable therefor ; in the same year it delivered a ruling as to the use of the records of the Court by attorneys or others.[1] In 1572 attempt was made to check the practice of serving bills on people to appear before the Court without giving thereon the name of the plaintiff ; henceforth unless this was done no process of contempt would be awarded against the plaintiff for non-appearance. But apparently the evil continued, and with it another, that of serving bills without specifying in them that it was the Marches Court before which the defendant had to appear. In 1580 the Council ordered that this, as well as the name of the plaintiff, should be entered on every bill served for process in the Court.[2]

There are in addition records of several cases heard before the Court. In 1573 when the Council was sitting at Worcester, it was called upon to settle a disputed title to a tenement in what is now the village of Eckington[3]; in 1576 the Council had been trying a case for the possession of certain salt pans at Droitwich, the interest of which suit lies, however, in its bearing on the relations of the Council with the Court of Exchequer.[4] A third action concerning land is recorded in 1584, when a certain Adam Whitacres and his son were charged with forging a lease for a pasture near Shrewsbury. A lengthy account of the evidence is given ; the lease is pronounced a forgery, the father and son adjudged guilty and condemned to pay a fine, be pilloried and lose an ear before undergoing imprisonment for one year, ' as such notorious offences,' runs the decision, ' are not to be passed over without due exemplary punishment.'[5] In one instance recorded the Council was requested to enforce a judgment delivered in the Hereford Assizes. A ' very poor man ' had had a customary tenement awarded him by virtue of an action of trespass against the lord of the manor, who never-

[1] Pp. 80–4.
[2] Pp. 99–100, 199.
[3] P. 104.
[4] Pp. 152–3.
[5] Pp. 222–4.

theless kept him out of possession by force ; the injured man could not hope for justice in the local court. Of the action of the Council there is no record, but their interference in such cases was definitely commanded by their instructions.[1] The bailiffs of Shrewsbury submitted a somewhat curious but minor point of law to the Council in 1567[2], and a judgment of Bishop Rowland Lee which does not seem to be mentioned elsewhere, is given.[3] The instances are on the whole somewhat lacking in importance, but they illustrate well enough the legal aspect of the Council's work.

Far the larger part of this work here recorded, however, was more purely administrative, showing the Council in its relations with the various local authorities of the shires under its control, chiefly, of course, the sheriffs and justices of the peace. The Council was responsible for the holding of the Assizes and Quarter Sessions instituted for all Wales by the Act of 1543, and occasional reference to these Courts occurs in the Register. The Council several times granted permission to the justices to appoint deputies to hold the Assizes on account of their own actual or potential inability to preside. Objection was taken to the holding of the Great Sessions by deputy in 1573, and again in 1586 there was need to see that ' Justices of Assize may (as they ought) be themselves present at the Assizes and not serve the place by deputy.'[4] The tendency for disturbances to arise at these assemblies is remarked on in 1585 and the taking of measures to check such proceedings ordered.[5] Mention of the lesser courts comes in most naturally in discussing the officials responsible for them.

The sheriffs were nominated by the Lord President, Council and Justices, often from the members of the Council itself, at least in the seventeenth century.[6] In much of their work they were associated with the justices of the peace, but they had other and special duties which, as the Register illustrates, brought them into close and frequent contact with the Council. They were to a large degree responsible for the military organization of the shire, receiving orders from the Lord President as Lord Lieutenant of all the shires under the Council's jurisdiction.[7] The publication of proclamations, for which there are frequent orders, was their work.[8] With the sheriff lay also the arrangements for the visits of the Judges of Assize and the holding of the courts. A modification of the arrangements for the ' Diets ' of these Justices, designed after much discussion in Parliament to relieve the pocket of the Sheriff, finds a place in the Register,

[1] P. 143 : Clive, *Ludlow*, 313, 341.
[2] P. 241. [3] P. 47.
[4] Pp. 84–5, 97, 183–4, 232 : *A.P.C.*, viii. 141. [5] Pp. 227–9.
[6] Skeel, 279. Of 26 Councillors in 1602 no less than 19 had at some time occupied the post of sheriff.
[7] E.g. p. 72 *seq.* [8] E.g. pp. 93, 97.

though the order enforcing it is omitted.[1] A typical instance of the miscellaneous work delegated to the Sheriff by the Council is afforded by an entry already referred to in another connection concerning the 'overcharging' of some of the Welsh shires with cattle. The Sheriffs of the counties concerned are ordered to inquire into the matter, making a list of all those who keep strangers' cattle, and certifying the Council thereupon.[2] The appointment and supervision of the inferior officers of the shire and its divisions was very largely in their hands. In 1572 there was much complaint that the Sheriffs of Wales were using their offices 'to their own private gain,' by selling the offices of Deputy Sheriff, Shire Clerk, Bailiffs of Hundreds, Jailors and others. They thus encouraged bribery and extortion and so reflected some discredit on the Council which had appointed them. The Council ordered the coroners of the twelve shires of Wales to publish the fact 'in all fairs or markets or other assemblies'; for any future action of like sort the Sheriff is to be called before the Council and punished by fine or imprisonment together with loss of office.[3] A later order of the Court, passed probably some time early in the presidency of Sydney's successor, was designed to protect the tenant against the vexations of the under-sheriff where the cause of amercement lay with the lord of the manor.[4] An illustration of exceptional powers conferred on the Sheriff is afforded by an order of 1570, by which the Sheriff of Merioneth, Owen Wynne, was empowered, as his predecessors had been, to pursue felons and outlaws into the neighbouring counties of Montgomery and Cardigan, to arrest them, and either put them in prison there or at least secure their appearance before the next Great Sessions or the Council.[5] In 1579 the Commission used for swearing in Thomas Wigmore as Sheriff of Radnor is given, its form and content having been altered, we are told, from that previously used.[6]

Perhaps the most interesting however, certainly the most lengthy, of the notices throwing light on the relations existing between the Council and the Sheriffs is the series of documents concerning the election of the Coroners for Glamorgan in 1570, which has not, so far as I am aware, received notice elsewhere. The sequence of events may be made out with tolerable clearness from the letters and orders which cover twelve pages of the Register.[7] At the end of June 1570 William Gerard, then Justice for the shires of Brecknock, Montgomery and Glamorgan, wrote to the Lord Keeper, Sir Nicholas Bacon, stating that the two coroners of Glamorgan were unfit for office: they were disorderly and had on several occasions been before the Council for breaches of the peace; they bore extreme

[1] Pp. 117–18.
[2] P. 107.
[3] Pp. 98–9 and note.
[4] Pp. 235–6, n.d. but before 1592.
[5] Pp. 62–3.
[6] Pp. 192–3.
[7] Pp. 85–92.

hatred to each other and were generally discredited in the shire. They had failed to do their work, so that he had been unable to obtain 'any presentment of divers persons murdered and slain this year.' From a later petition we learn that they both lived in the same end of the shire, in itself a drawback to its inhabitants. This direct and unsparing statement squares with what we know elsewhere of Gerard: his Discourse on the State of the Marches shows him a man who did not mince his words. The remedy was of course to elect new coroners; writs were sent down to the Sheriff for the next County day, to be held at Llandaff on the 2nd October.

From all accounts the assembly must have been more exciting than usual. The matter of the coroners had aroused great controversy through the shire, furnishing much conversation at the Great Sessions three weeks earlier. It was claimed that 'there had never been so substantial an assembly for freeholders at any one County before in this shire since it was made shire ground,' a somewhat bold assertion inasmuch as Glamorgan was of course one of the earliest Welsh shires to be so made. There were estimated to be almost 1,000 freeholders present for the election, which preceded the ordinary business of the county. Though the existing coroners were not without supporters, the Sheriff and his father having made use of the church services to exhort those in their own neighbourhood to appear at the County, the feeling of the assembly was overwhelmingly in favour of a new election. The Sheriff's desire to retain the existing coroners in office was plainly evidenced, though his reasons for so wishing are not so clear, and Gerard declared that he was one of those who petitioned him for new ones. He essayed to shelve the matter. He declared, a palpable falsehood if the statements of the opposite party are correct, that the matter was not yet sufficiently published in the shire, and that he would therefore postpone action on the writs until the succeeding County. But his opponents were fully alive to the dangers of such a delay; winter was coming on and Lewis would hold the next County in the extreme east of the shire—where he and his friends lived—so that people from the other extremity of the county would be unable to spare the five days which travel and attendance there would necessitate. They were determined to proceed there and then. They offered to allow the Sheriff and his party the nomination of one coroner for the eastern portion of the shire if he would agree to their election of one for the western part. The Sheriff refused to compromise thus, whereupon the majority took matters into their own hands and, 'without contradiction of any one,' chose Thomas Turbervyle and John ap Henry ap Hoell to fill the disputed offices. But though they might elect, they could not administer the oaths, and this the Sheriff outright refused to do. Instead, he at once adjourned the assembly, leaving undone the whole

of the ordinary business of the shire, intending to secure his ends by the next County.

Feeling in the shire ran too high for so convenient a solution of the difficulty. The leaders of the opposition were men of weight and influence in the county—Sir Thomas Stradling, Edward Manxell, Walter Vaughan, Leyson Price and others, many of them on the commission of the peace or other local bodies. Appeal to a higher authority was the obvious resource. But which higher authority? The local Council responsible for the maintenance of order in the shire, or Westminster, whence had come the writs on appeal from Gerard? They wrote to both, though not, it is worth notice, at exactly the same time. On the day after the tumultuous County they, or some of them—the names of the signatories to this letter are omitted—wrote to Lord Keeper Bacon recounting the circumstances and the intentions of the Sheriff, and asking for direct orders to the Sheriff to keep the next County at Bridgend, near the centre of the shire, and to administer oath to the newly chosen coroners. Two days later they turned to the Council and wrote a much longer epistle, giving details of the struggle, exposing the wiles of the Sheriff and asking now that he might be ordered either at once to swear in the new coroners, or to appear before the Council; this second letter was subscribed by seventeen names. An 'information' presented to the Council about this time by Mathew Thomas of Ystrad is of the same purport.

The two petitions found answer by chance on the same day, 20th October. Sir Nicholas Bacon wrote to the Council from Windsor, enclosing copies of the petition and Gerard's earlier letters, and also a writ of *Supersedeas* to be used if they thought wise, but leaving the decision in their hands. On the same day at Ludlow the Council ordered the Sheriff to swear in the new coroners at the next shire assembly, or else appear before the Court. He was not to proceed to another election on pain of a fine of £200. Five days later Charles Foxe alone signed an order that as the Lord Keeper's letters had been received, a reiteration of the Council's commands was to be sent to the Sheriff. The Sheriff however was far from beaten. He had, a fresh petition to the Council affirmed, pledged himself to overthrow the recent election of the coroners: he had declared that at the worst it was 'but a money matter and the paying of a fine,' towards which his supporters had promised to contribute—language more illuminating now than it can have been pleasant to the Council. He was actually prepared to use force, or at least make a display of so doing, for William Herbert, captain of the town forces of Cardiff, had called out his men by the town serjeants and with them had attempted, though vainly, to overawe the freeholders present at the next or adjourned County Court held again and as the Sheriff desired, at Landaff. The Sheriff, changing his ground, had attempted

to secure the election as coroners of his two brothers-in-law, sons of Sir Robert Gamage of Coity Castle, just outside Bridgend. Foiled in this by the strenuous opposition of the freeholders present, he was at least determined not to appear before the Council. He sent word that he was unable to travel ' without danger of his life,' though the Council found that he had just before sending this message ridden from his house in Llandaff to Coity Castle and back. A special messenger was therefore sent by the Council to Llandaff to return in company with Lewis as the matter was now ' of importance for the whole country.' This was on the 5th November. A fortnight later fresh commands were issued. The Sheriff was still at large : well and active on the day before the messenger's advent to Llandaff, he sent word to the Council that he was sick and in bed when the messenger arrived. He was ordered on pain of being reputed a rebel to appear before the Council before the 12th January.

The attitude of the Council however had undergone a swift change. Instead of repeating or strengthening their order for the swearing in of the new coroners, they declare their intention ' on deliberate and advised consideration of the premises ' of examining more closely the charges against the old officials. This by itself sounds well enough though somewhat late in the day, but it loses some of its force when followed by the statement that one of the ejected coroners has procured letters from sundry members of the Privy Council supporting his claim to a hearing before dismissal from office. Both sides, the Council orders, are to certify reasons for the case against and for the former coroners, who meanwhile are to remain in office.

There, unfortunately, the curtain falls on the episode, too soon or too late, it must be said, for the credit of the Council. It was well over six weeks since the original disturbance, and no solution had been found or (by the latest order registered) would be found until more than three months had passed. Of the two orders which the Council had issued, one had been flagrantly disobeyed, the other reversed by themselves. If the coroners whom Gerard denounced so roundly had any case, the Council ought to have made inquiry at once, not merely on belated representations backed by names of weight. The whole of the last order reads indeed as if the Council were anxious to shuffle out of taking any action at all save in regard to the contumacious Sheriff. Gerard must have known that in appending his name to this he was virtually going back on his attitude and words of some months earlier. It is to be remembered, of course, that all the letters and petitions are from the one side ; yet there seems no question but that numerically the party in opposition to the Sheriff was the stronger ; it certainly contained many, if not most, of the names of mark in the county ; it was backed up by the opinion of

one of the most active and able members of the Council ; and finally the actions of the Sheriff afforded in themselves some condemnation of his cause as well as of his methods. His conduct was probably far from typical, but it certainly affords a striking example of the way in which a powerful local official, backed by allies in the county, could defy those nominally in authority over him. Such episodes cannot have tended to raise, scarcely to maintain, the prestige of the Council in the eyes of those within its jurisdiction.

The relations between the Council and the Justices of the Peace, as displayed in the Register, though as close and as constant as those between the Sheriffs and the Council, are more prosaic, unillumined by any such sallies as the one just recorded. The continuous use of the justices by the Council, the almost mechanical way in which it bids them meet and separate into their accustomed divisions as set up by the Act of 1542, for the execution of the Council's commands, is proof of the extent to which the institution has become accepted as an integral part of the shire machinery. The justices were drawn from the prominent families in the different shires of Wales and the Marches, being nominated by the Lord President, Council and Justices of Wales. The Council, we learn from the Register, kept a complete list of all the justices. In 1580 this is ordered to be brought up-to-date, an order whose fulfilment we may see in the list inserted in the record during the following year. A more informative list was demanded and given in 1575, detailing not only the names of the justices but also the names of the Hundreds to which they were specifically attached.[1] In both these lists the number of justices of the peace for each county was greater than the maximum of eight allowed by the Act of 1543 ; in one or two cases it was more than double. David Lewis in the recommendations for reform of the government of Wales which he sent to Walsingham in 1575,[2] advises amongst other things that the number of justices in each shire should be 'abridged to eight, according to the ordinance of Wales.' But it was inevitable that as their business grew the number of justices should increase. There was also probably something of policy in thus attaching to the administrative machine all, or at any rate the majority of those of weight and importance in each county.

The work of the justices was in the main identical with that performed by the justices of the peace in the counties of England,[3]

[1] Pp. 132, 198–9, 212–13 *seq.* The answers of the Custodes Rotulorum to the queries sent out for this last compilation include also the names of the coroners and clerks of the peace as well as mention of any boroughs claiming the right to elect their own justices (cf. also p. 216, a Salop list of 1582, and pp. 236–7, a list of 1595 for six of the twelve Welsh shires.)

[2] Skeel, p. 108. Part of this section of the Act is quoted in the Register without comment, presumably as a memorandum, p. 241.

[3] The duties which successive Tudor Acts of Parliament laid on these justices

though they received their instructions from the Council in the Marches instead of directly from the Privy Council. In many of their labours they were associated with the Sheriff. Thus in the Register we find orders despatched to the sheriffs and justices of the peace to take musters, in conjunction with other special Commissioners; they were alike to maintain order as occasion arose; to put in execution the statutes against vagabondage, for the maintenance of archery, the observance of 'fish days' and the like; to take bonds of tanners, oversee soapmakers, check exactions on the part of other officials, prevent the transportation of corn, see that 'tracks' for stolen cattle were followed in accordance with the Council's regulations, procure free election of Members of Parliament and so forth.[1]

These commands, notably those concerning the general preservation of order, were not always carried out to the satisfaction of the Council: on not a few occasions they hint at negligence and strive to stir up the magistrates to fresh efforts; they once directly accuse the justices of the peace in Gloucester of holding the authority of the Council 'in utter contempt.'[2] But the shortcomings which the Council found in these officials were only parallel to the similar deficiencies in other parts of the country, voiced by the Privy Council, of whose letters on this subject indeed the exhortations of the Council were sometimes the direct result. There was probably little difference in this regard between the justices of Wales and the Marches and those of other English shires. Evidence is not lacking in the Register to show that they could take very definite interest in the condition of their shires. In 1569 a petition reached the Council signed by many of the justices of Anglesey, deploring its defenceless state and suggesting remedies therefor. It was on petition from certain of the justices that the Council in 1587 exempted certain parts of Glamorgan from its ruling in the matter of compensation for stolen cattle; the original order indeed was largely based on the complaints of the justices in various Welsh shires. So, too, the action of the Council against the 'surcharging' of the commons was the result of representations from the justices of Montgomery; and those of Worcester in 1582 headed the complaint against the extortions of the purveyors of the Council in that shire.[3] And whilst for much if not most of this self interest could provide a motive and would assuredly

are carefully described by Beard, *The Office of the Justice of the Peace*, 1904, p. 74 *seq*.

[1] E.g., musters, pp. 69, 115, 230–1: maintenance of order, pp. 102, 148–9: vagabondage, p. 96: observance of Lent and fish days, pp. 100, 180–1: election of M.P.'s, pp. 94–5: bonds from tanners, pp. 124–5: soapmakers, pp. 147–8: transportation of corn, p. 123: also, pp. 170, 215–16.

[2] Pp. 148–9. In 1573, pp. 102–3, they accuse the justices of the peace of granting licences for alehouses too easily. Cf. for reports by the justices, pp. 179–80 (Glamorgan) and pp. 189–90 (Carmarthen). [3] Pp. 63–4, 121, 215, 231–2.

act as a spur, the justices emerge from the record with a balance of credit, the greater when it is remembered that of much of their routine work, notably their judicial functions, the Register is silent save incidentally or by inference, some presumption at least in favour of a belief that it was done fairly satisfactorily.

In addition to thus controlling and, as need arose, prescribing the work of the ordinary county officials, the Council at times appointed local commissioners for special purposes. These commissioners must often of course have been justices of the peace also, but receiving special charge and as a rule required to make special report. In the majority of cases here recorded these commissions were concerned with musters or their attendant business. Such were appointed in 1569 to look after armour, others in the same year to see that due supply of horses was maintained and armour pertaining thereto obtained, others again in 1571 to take musters and more yet to inquire into the musters then taken. The task of inquiring into the truth of the claims of Anglesey for special treatment in the service of its forces was remitted to local commissioners ; the allegation that corn had been exported on the pretence of sending it to the Earl of Essex in Ireland was to be examined by persons specially named and appointed in each county ; and the muster commissioners were again called upon to act in 1577.[1] Other special appointments for purposes of more general nature were made to inquire into the overstocking of Welsh commons ;[2] others again to see that the tanning industry was properly carried on.[3] Six persons were named to ' make diligent search ' for the felons with which Montgomery and Merioneth were said to be troubled to excess ;[4] two gentlemen of Worcester were deputed to inquire into a case of disputed possession of lands in that shire.[5] In all these instances report was to be made to the Council, which was thus enabled, when it so desired, to supplement or supersede for the occasion the ordinary machinery of local administration.

In considering the relations of the Council with the local authorities in the shires, we are faced with the vexed question as to the Council's jurisdiction over the English border shires. For, as already stated, it was in this period that Worcester, in the person of one Robert Wilde, first challenged the authority of the Council. The decision against the shire is entered in the Register. It was natural that the Council should desire to preserve a copy of so important a document : what is remarkable is that there is no other mention of the case. Whilst the Register does throw some light on the undoubted differences between the powers of the Council over Wales and the border counties respectively, that light is uncertain and partial ; and the same is true for Monmouth. Neither from statute nor royal Instruc-

[1] Pp. 55, 60, 69, 108–9, 163.
[2] Pp. 112–13.
[3] Pp. 124–7.
[4] P. 146.
[5] Pp. 234–5.

tion is it possible to say concerning what matters the Council might issue commands for the twelve Welsh shires only, or for which the four English counties and the anomalous Monmouth should be included. That its general authority extended over all seventeen shires is fully borne out by this record. The Council sends out letters ' for the repressing of robberies ' to both Welsh and English shires, and similarly for the suppression of vagabondage, the observance of Lent, the supervision of alehouses, the checking of the illegal export of corn, the support of archery and the regulation of tanning or soapmaking.[1] In one of these orders directed against the excessive number of alehouses said to exist a distinction is drawn which is perhaps worth passing notice. Whilst the justices of all seventeen shires are required to meet and execute the Council's commands, certifying them by a given date, those of the Welsh shires and Monmouth are further commanded to make monthly certificate to the Council of all felonies or misdemeanours committed in their respective shires.[2] It may be of course that the justices of the English shires were less in need of this admonition, not so much because of the greater quietness of life there but because they were nearer to the seat of government. But it rather looks as if the Council made some distinction in the demands they might make of the shire officials. In 1572 copies of a Proclamation against the unlawful keeping of retainers was to be sent only to the Welsh shires, Monmouth being omitted.[3] Again near the close of the same year it is to the coroners of the Welsh shires alone that letters are sent to check the extortions and corruption reported to be practised by the sheriffs. This, however, is hardly a fair example, as it was the result of an outside agitation specially directed against the Sheriffs in Wales.[4]

In all that concerned the Court and the legal work of the Council, its authority over the English shires was, to judge from the Register, fully recognized. A new regulation concerning the serving of summons is sent to all seventeen shires ; on removal of the Council to Conway in 1575, cases from Hereford, Gloucester, Worcester and Monmouth, as well as from the seven southerly Welsh shires, are ordered to await its return, to save the long journey.[5] Quite a number of legal matters relating to the English shires have found their way into the Register,[6] some of which have already been mentioned : a case of trespass in Hereford, one of forgery in Shrewsbury, a lease of lands in Salop, another of lands in Worcester, an incomplete writ concerning the officers of the Hereford shire court. The Council's rights of hunting in the royal forests in those counties are likewise recorded. Evidence of separate though not necessarily different treatment occurs in a matter of minor import, that of obtaining and registering lists of shire officials.

[1] E.g. pp. 100, 144. [2] Pp. 102–3. [3] P. 97. [4] Pp. 98–9 and note.
[5] Pp. 99–100, 144. [6] Pp. 194–7, 217, 222–4.

In 1575 the Council demands and receives from the Custodes Rotulorum of the Welsh shires and Monmouth only, lists of the justices of the peace, their divisions and hundreds of residence, with the names of other officials. Again in bringing its list of justices up to date in 1580, nothing is said of Monmouth or the English shires.[1] It would be rash however to infer from this that the Council had much less real power over the justices or other local officials there. By the Act of 1543 the Council was to nominate justices for the Welsh shires. But it may also have nominated for the English border counties, and in any case so many of the Council were on the commission of the peace for those as for the Welsh shires, that its authority would be no less there. Thus a commission for Salop of date 1582 which is entered contains the name of the Lord President, Vice-President and the majority of the Council.[2] In military affairs there seems to have been no strict rule, the distinctions which occur resulting from differences in the arrangements for the levying and training of forces or the provision of weapons, and not pointing, so far as can be seen, to any differentiation of powers. Thus in 1569 a regulation for the better safeguarding the armour provided some years earlier, applies only to the Welsh shires ; so too, with the addition of Monmouth, does an order arranging for an inquiry into alleged extortion for the musters of the next year, and regulations concerning those musters. In 1577, however, a letter from the Queen orders Sir Andrew Corbet, then Vice-president in Sydney's absence, to levy and train men ready for service from all seventeen shires.[3]

The only general conclusion we can draw from the Register on this subject is that the Council's jurisdiction held good in this period over English as over Welsh shires, despite the fact that it was questioned, but that distinctions were sometimes drawn, partly perhaps because the Council's authority over the English shires depended rather more on prerogative than its more purely statutory authority over those of Wales, partly for convenience, partly also through the natural and inevitable recognition of the fact that Wales of itself formed a unit. And whilst it may not be altogether fanciful to see in the instances of separate treatment recorded in the Register some working of the spirit which led to the challenging of the Council's authority over Worcester in 1574, it would certainly be impossible to delineate therefrom the legal or even the practical shades of difference which existed.

To close this survey of the work of the Council in its relation to the local authorities, and therewith the attempt to convey some idea of the content and value of this record, at such a point, with so vague a conclusion on what from being an undecided issue in the years covered by the Register, became a highly controversial one in the years which followed, might seem at first sight unwise

[1] Pp. 132, 198–9, 212–13, 236–7. [2] P. 216: cf. Skeel, p. 281.
[3] Pp. 60, 69, 72, 160–1.

if not wrong. But it is in reality not wholly unfitting to end on a point of unsettled jurisdiction. Certainly to carry the issue to its conclusion would be to go far beyond the bounds set by the close of the Register. The only logical conclusion of this as of the other struggles of the Council with rival authorities at Westminster was that which resulted in the lopping off of the branches of the Council's power, preparatory to laying the axe at the root of its authority. As the shires of the border and of Wales fell more and more into line with the other shires of the united country in judicial, military and general administrative matters, and as the penetrative power of the institutions in the capital increased, there was less and less room for a body in origin neither entirely royal nor purely statutory, in power neither completely subservient nor yet efficiently independent. It was an anomaly which the Tudor monarchy was strong enough to seize, develop and maintain, but which, not alone amongst Tudor governmental devices, tottered and fell in the period of their successors and brought more than itself down in its fall. With that fall we are not here concerned, though we may discern the beginnings of the decline. In the comparative quiet with which, as the Register portrays, the Council under Sydney and his associates governed Wales and the Marches, lay the seeds of its own supersession. However much disliked its authority under resolute Bishop Lee may have been, no one, no Englishman at any rate, questioned the necessity for its existence. As that lessened so did the real authority of the Council decrease, however much it might elaborate its procedure or the number of its officials, to whatever length its duties might be detailed in the issue and re-issue of royal instructions. The Register is witness to the gathering of the first storm clouds, in these attempts at exemption from the Council's jurisdiction, with their resultant drawing of the Council into conflict with the superior courts, as in the first attempt of Worcester to emulate Cheshire and Bristol in a like exemption. But to judge from the Register, there was a lull in the last years of Sydney's life and the end of the years the record covers. Men's minds indeed were bent less on the solution of legal and constitutional difficulties at home than on the salvation of their country from foes without. The clouds gathered again later and more darkly, to burst in successive storms of growing intensity. But when the clerk last plied his pen on the pages of the Register the end was still far off.

CALENDAR

OF THE REGISTER OF

THE COUNCIL IN THE MARCHES OF WALES

At Gloucester, 6th July, 1535.

Forasmuch as John Bedow of the city of Hereford of late of his crafty and untrue disposition procured one William Blaste to falsify the King's letters directed to one Thomas Wall of Hereford, and delivered sealed with the seal of an old letter from this Council directed heretofore to another person, one James Watkins being of counsel with the same Bedow in delivery of the same forged letters to the said Wall. Therefore it is ordered by this Council that the said John Bedow, James Watkins and William Blaste shall be conveyed to Hereford now and delivered to the Mayor there, to the intent that next market day in the time of the most congregation of the people he shall cause the said John Bedow to be put on horseback his face towards the horse's tail, the said James Watkins and William Blaste to lead his horse through the market place and streets of the said city, and the foresaid John Bedow to have papers about his head with a scripture in great letters thereon written containing these words 'This Weare for falsefyinge The Kinge's letters.' And after the said three persons shall have passed through the streets as aforesaid then the said John Bedow for his further punishment to the example of others to be put in the pillory there to make his abode during the time the said market endures. The same premises executed accordingly the said Mayor is to keep them in ward until the next day after and then to enlarge them. A letter to the said mayor reciting this direction.[1] Subscribed Roland Co*ventry* et Lich*field*, F. Englefielde. fo. 213 Touching the falsifying of the King's letters.

Henry VIIIth etc. To the keeper of our park of Wigmore and in his absence, to his deputy. Forasmuch as our Councillors and Commissioners of our marches of Wales are credibly informed that because both of the great number of deer dead within the said park fo. 205.

[1] The letter to the Mayor, almost identical with this order, is preserved amongst the miscellaneous documents of the Corporation of Hereford (*Hist. MSS. Comm.*, Rep. XIII, App. IV, p. 312).

of the warren, as also of the great waste and spoil of our deer there by lewd and simple persons which have killed and conveyed away the same to their own uses having no warrant nor authority from us or our Council so to do, our game in our said park is greatly decayed diminished and likely to be utterly destroyed if restraint be not provided. Wherefore we will and command you to see that for the space of 3 years from now ensuing, no manner of person whatsoever degree he may be, is to hunt within the said park with greyhound, bitch hound, cross bow, long bow or any other manner of engine whereby our deer there might be killed or diminished but the same may be replenished and brought to the former number in which wise you may deserve thanks, as by the contrary doing answer at your peril. Given under our signet remaining with our said commissioners, at the Castle of Welshpool, 22nd June, 1538.

Subscribed by the king and his commissioners in the Marches of Wales.

[*Letter to the Lord Chancellor.*][1]

fo. 123v. Devised by Mr. Justice Touneshend touching the non-allowing of a writ of *Certiorari*, 27th July, 1548.

We have lately received The King's Majesty's writ of *Certiorari* in a matter depending here before us between Thomas Staney and others, plaintiffs, and Edward Pryce and Margaret his wife defendants which (as we have formerly notified your lordship) has not from any of the king's courts been before allowed here but only upon the private letter of the Lord Chancellor of England to send such book or matter as is pending before the Council here. We thought good also to notify your lordship that since the commencement of the suit, Margaret one of the defendants, late wife of Daniel Staney, has had a son, who is heir to the lands in traverse, whereby the title of both parties seems, to our conjectures, to be clearly destroyed. The evidences and writings touching this land remain here in safe custody by order of this house, and with the coffer in which they lie would make a mean cart load. Nevertheless upon your further wish expressed by private letter we shall send the evidences up to you, being ready herein as always at your lordship's commands as knoweth Christ who preserve and continue the same in prosperous health and honour. Ludlow, 27th July, 1548.

Ri*cardus* [Sampson] Coventry and Lichfield, Robert Touneshend, Richard Germyn.

fo. 187. Marche Wyke. At a Court held 21st March 1554, in the presence of Thomas Lee Esq. deputy of Francis E. of Shrewsbury, steward of the Queen there

[1] This is one of the few notices extant of Bishop Sampson's Lord Presidency.

and Thomas Salter gent. legal deputy of Richard Cupper gent. The forsaid Thomas Lee and Thomas Salter in open court granted to Katherine Nettyle widow and Mary and Alice her daughters, the holding in the vill and fields of Wyke in the manor of Marsh,[1] now in the hands of the Queen by the decease of John Nettylle and Margaret his wife, and Ralph and Richard their sons to whom the same was left by copy of court roll to them or their heirs. Katherine Mary and Alice Nettyle are to have and to hold the tenement for life according to the custom of the manor. There is to be paid 20*s.* of old rent and 4*d.* increment &c., &c., and they give for fine in open court £3 6*s.* 8*d.* and so the said Katherine is admitted as tenant.

Examined and allowed by me, Richard Cupper.

Allowed by George Bromley, general steward of the lands of the Queen in the county of Salop by virtue of the commission directed to him.

[Copy of order by the Privy Council for the despatch of a letter to the Earl of Pembroke to consider and take order on certain articles submitted by the inhabitants of Anglesey for the better keeping of the castles there and the preparation of forces in the neighbouring shires, to aid the island. 5 Feb. 1558.][2] fo. 204.

[*Signet Letter.*]

By the Queen.

Whereas the Isle of Anglesey within our Principality of North Wales lies open both to France and Scotland, we have thought good, considering the late attempt of our ancient enemies the Frenchmen and also the Scots, who are nothing ignorant of the landing places there, to foresee that there be supply of men ready at all times for the better meeting of such attempts as haply shall be offered against the said Isle. We have therefore ordered that with the inhabitants of that our country the force of Carnarvon shall be ready to aid the said isle when and where occasion arises on any attempt in any haven creek or place therein. And as we have sent letters to the Justices of Peace and Sheriffs of those counties to muster the inhabitants in all quarters adjoining the sea coast, so our pleasure is that you, in whom we have special trust, shall muster the inhabi-

[1] This manor belonged before the dissolution to the Prior of Wenlock, who 'had one of his principal granges there' (Eyton, *Shropshire*, iii, pp. 281–3). Wyke, a hamlet about 5 miles north-east of Much Wenlock, was, and remained part of the manor (C. J. Anderson, *Antiquities of Shropshire*, 1854, p. 245).

[2] The entry is identical with that contained in the Privy Council Register (*A.P.C.* vi, 1556–8, 260). On the 7th Feb. a letter was ordered to be sent to the Earl of Bath, requiring him to put in defence and furnish the castle of Beaumaris (*ibid.* p. 262). The succeeding letter is the one sent out by the Council. Cf. 55 *seq.*, 210, 217.

tants of the isle of Anglesey, willing and requiring you forthwith upon receipt of this to assemble yourselves and out of hand to muster and make ready all the able men in the said isle with furniture of armour meet for the wars, and to see that every man be ready upon all occasions to repair to the landing place when and wheresoever commanded, to repulse the enemy's sudden appearance and enterprise there. We doubt not but you will appoint such men to lead and rule as are able, as also have care to the watch of the beacons as opportunity shall serve, conferring in this matter with the commissioners of the other shires so that you and they may better win in this service, seeing in anywise that the inhabitants there rest at home for the defence of the isle. And as there are certain castles in and near the said isle, for the good guarding whereof great fees are granted, our further pleasure and command is that you give warning to all those that have the keeping thereof, that they repair there or take such substantial order therein that they may answer the trust reposed in them. We command you, Sir Richard Bulkeley Kt., having charge of [our] castle of Beaumaris, with all haste to sue and send to the Earl of Bath men and munitions for the defence of that part as he and you will answer therefor at your peril. And of your whole proceeding in the premises to make certificate to our Council in the Marches of Wales with all speed, so that we and our Council attending our person may be advertised thereof from them (as appertaineth) according to letters sent to them at this time. Given under our signet at our Castle of Ludlow, 11th February, 1558.

fo. 182. A warrant for the L. President and two of the Council for repairs of the Queen's Majesty's Castles and Houses in the Marches.

Commission to Sir Henry Sidney, L. President or his substitute, John Throckmorton Esq., our Justice there, Sir Nicholas Arnold kt. one of our Commissioners there, Charles Foxe our Secretary there, or any two of them. As we are credibly informed that not only Ludlow Castle but also other of our castles houses and edifices there are in great ruin and decay and that our household there is unprovided to take remedy therefor, we require you, or two of you, of whom our L. President or his substitute shall be one, that of such fines, amercements and forfeitures as are or shall be taken in our Court there, you defray the cost as well of repairs to our said castles and other ancient edifices and buildings as of erecting new buildings in or about the said castles and the provision of such implements as you from time to time shall think fit, until you shall hear from us to the contrary. These letters shall be sufficient warrant for you. Given under our Signet at our palace of Westminster, 10th May, 1560.[1]

[1] It was presumably under this or succeeding warrants that Sydney made those repairs and additions to Ludlow Castle with which his name is associated. They were probably completed in 1581 (to judge from an inscription over the entrance to the inner court of the castle (Skeel, 184–6) and consisted of the

A Warrant Dormant for Deer, red and fallow, for the Council.

The Queen to all the lieutenants, forest keepers, rangers, masters of game and other officers of royal forests, parks and chases within the Counties of Gloucester, Worcester, Hereford, Chester, Salop, Monmouth, and all the Principality of Wales and the Marches. We have granted to Sir Henry Sidney, L. President, and the rest of the Councillors there, every year 3 bucks of season in the summer and 3 does of season in the winter ; also 3 stags of season in the summer and 3 hinds of season in the winter where red deer are to be taken within every of our said parks, forests and chases. These we therefore command you yearly to present to the L. President and others of the Council during the time that they are members of the Council. These letters, with a transcript remaining with you and a bill signed by the L. President or in his absence the Justice there, or in his absence by 3 of the Council, shall be sufficient warrant to you. And over this we of our special grace do authorize and licence, not only the said L. President or his substitute or the Justice but also any one two or three of the Commissioners on the Council so long as they are on the Council, with their servant or servants, to enter and hunt in all our said parks forests and chases for the said deer, to kill them with their bows, hounds, and greyhounds as they please, carrying away of our gift what deer they kill without any pain, loss, danger, or displeasure. Given under our Signet at our Palace of Westminster, 10th May, 1560.[1]

At Ludlow, 9th April, 1565.

fo. 191.

It is ordered by the Lord President and Council that where John Throckmorton [2] Esq. of the Council by the instructions is licenced to depart from the service of this house to keep his circuit twice a year, repairing again to his charge here, he shall have at his departure and repair again, twice a year, allowance for himself and 12 servants and 14 horses, viz :—for every day's travel from this Council where he goes, and from the place where he comes to the place where this Council shall be, for himself 6*s.* 8*d.* a day for every servant 12*d.* a day, for every horse 12*d.* and for the sending for and return of every servant and every horse, 12*d.* And for every circuit kept by him in the 3 shires of Flint, Denbigh and Montgomery,

making or restoration of rooms, walls, court house and offices, a 'fair large stone bridge,' the chapel, stairs, windows, a parlour, roofing, a terrace, a tennis court, a conduct of lead (Clive, *Ludlow*, 38). From the Register (below, 193, 179, 209) we learn that the chimneys and the castle clock also came in for their share of attention.

[1] Two warrants issued in accordance with this grant, one by Sydney from Cardigan in August 1561 demanding stags from the Forest of Snowdon, are printed in Pennant, *Tours in Wales*, ed. 1784, App. IX.

[2] There is a notice of Throckmorton in *Dict. Nat. Biog.* under the name of his son Francis : cf. also Leadam, *Select Cases in the Court of Requests*, Selden Society, 1898, p. 197, n. 6.

£7 as he heretofore has been allowed and paid. The copy of this order signed by the L. President and Council shall be sufficient warrant to the Clerk of the Fines for yearly payment thereof.

Henry Sydney, Richarde Wy, Richard Seborne, Thomas Blunte, John [Scory, Bishop of] Hereford, William Gerrard, Charles Fox, Richard Pates.

ff.244–46. This Indenture made in the Feast of the Annunciation of our Lady 1568, between John Hanbary of Elmley Lovett co.Worcester, yeoman, Thomas Acton of the same town and county gent., Richard Hanbary of the City of London goldsmith, and Thomas Smith of Elmley Lovett yeoman, together with John Mowle and Thomas Smith now at this present date churchwardens of the parish church of Elmley Lovett aforesaid on the one part, and John Puller of Elmley Lovett husbandman on the other part. Witnesseth that whereas Water Blunt, Esq., Thomas Smith, John Boyse, John Brode, Richard Puller, John Smith and John Hanbary the younger sometime feofees of all the messuages, lands, tenements, meadows, leasowes and pastures with the appurtenances lying in the parish of Elmley Lovett aforesaid and Rushock in the said county of Worcester belonging to the parish church of Elmley Lovett, and employed by the discretion of the parishioners there for repairs of the church of Elmley Lovett or otherwise in that parish, together with the churchwardens of the parish church and by consent of the parish, did by their indenture of the Feast of the Annunciation of Our Lady 1528 demise and let to farm to Allen Harper and Richard Puller the said Messuages etc. to have and to hold from the date of the indenture for 61 years fully to be ended as by the same indenture more fully appears. And as also the said John Hanbery stands now lawfully seised of one messuage and half yard-land with appurtenances, called Felgates, and of its reversion by lawful conveyance, lying at the nether end of the green called Sneddes Green in the parish of Elmley Lovett between the lands now in the occupation of William Acton gent. on the one side and those now in the occupation of Edward Ricill and Thomas Shockley on the other side which said messuage and half yard-land called Felgates are part of the premises recited in the said former indenture and now in the occupation of John Puller by virtue of the former demise and lease. And as also the said Thomas Acton, Richard Hanbery and Thomas Smith are now lawfully seised of one meadow called Boye meadow and its reversion by lawful conveyance, lying in the parish of Elmley Lovett at the nether side of the park called Elmley Park, between the park and the brook there, between also a pasture or meadow now in the occupation of John Hanbery on the north side and a meadow now in the occupation of Richard Bernerd and Thomas Beste on the south side, which

Boye meadow is part of the premises recited in the said former indenture, and now in the occupation of the said John Puller by virtue of the said former demise. The said John Hanbery, Thomas Acton, Richard Hanbery and Thomas Smith together with the said John Mowle and Thomas Smith now churchwardens with the consent of the whole parishioners and in consideration of the sum of £6 13*s.* 4*d.* paid by John Puller to the necessary uses of the parishioners of Elmley Lovett before the sealing hereof have demised and let to farm by these presents to John Puller all the said messuage and half-yardland with appurtenances thereof called Felgates and also the meadow called Boye meadow. To have and to hold immediately after the end of the term of years comprised and specified in the former indenture of their demise to the said Allen Harper and Richard Puller for 21 years thenceforth ensuing. Yielding and paying therefor yearly to John Hanbery, Thomas Acton, Richard Hanbery and Thomas Smith their heirs or assignees or to the churchwardens of Elmley Lovett parish church for the time being £1 6*s.* 8*d.* at two usual terms of the year i.e.—at the Feast of St. Michael and the Annunciation by even portions. And if it happen the said rent to be behind and all or in part unpaid one month after either of the said feasts, being lawfully asked, then it shall be lawful to the said John Hanbery, Thomas Acton, Richard Hanbery and Thomas Smith etc. or to the churchwardens for the time being to enter into the said messuage, half yard-land and meadow and to distrain and the distress so taken to lead drive or carry away and to detain the same until the said rent and arrears shall be fully paid. And if the said rent is behind the days at which it ought to be paid one quarter of a year and by sufficient witness, and no sufficient distress can be found nor lawfully taken, then it shall be lawful to the said John Hanbery his heirs or assignees to re-enter into the same messuage half-yardland and meadow and take possession as in his or their former estate. Likewise it shall be lawful to Thomas Acton, Richard Hanbery and Thomas Smith their heirs etc. to re-enter and repossess the same, this present indenture of demise notwithstanding. And the said John Puller does for himself and his executors and assignees hereby grant to the aforesaid John Hanbery etc. and likewise to Thomas Acton, Richard Hanbery and Thomas Smith etc. and the churchwardens that he John Puller etc. upon his own cost during the 21 years shall maintain all housing and building now in or upon the messuage called Felgates in good repair having necessary timber upon the premises, and so sufficiently repaired and tenantable shall leave the same at the end of the term of 21 years. Also that he the same John Puller shall pay all chief rents due from the said messuage half-yardland and meadow to the chief lord or lords of the manor there yearly during the term of 21 years. And the said

John Hanbery does for himself and the said Thomas Acton, Richard Hanbery and Thomas Smith do for themselves etc. and the said John Mowle and Thomas Smith churchwardens do for themselves and their successors with the assent of the whole parishioners grant to the said John Puller that it shall be lawful for him etc. during the term of 21 years to take sufficient houseboot, heyboot, fireboot, cartboot and ploughboot growing on the said messuage, half-yardland and meadow necessary to be spent in and upon the same, and also to crop lop and shred all manner of trees usually so done, and also to fell all underwood growing upon the same premises, and the wood so lopped, together the underwood, to have to his use, not doing at any time any wilful waste during the said term. Notwithstanding it is agreed between the said parties that it shall not be lawful to the said John Puller etc. to fell or have to his use any tree growing on the premises aforesaid but only for houseboot, repairs of housing as abovesaid, to be taken when need shall require. And also John Puller for himself etc. and also for every person who by virtue of this present indenture shall have the said premises, hereby grants to the other party to the said indenture that at the decease of every one being tenant of the said premises during the term of 21 years, there shall be paid to the churchwardens for the time being £1 6*s*. 8*d*. by name of an heriot, or otherwise if any person possessed of the same premises before the term of 21 years is expired, assign over the indentures with the interest therein attached, then at every such assignment over there shall be paid to the said churchwardens for the time being, £1 6*s*. 8*d*. in the name of heriot, and for lack of payment thereof it shall be lawful to the said churchwardens to levy the sum of the said premises by way of distress. Provided always that if the said John Puller assign his indenture to convey any parcel thereof to any other person than his wife, child or children or to some of his near kindred, or else to his executors administrators or assignees or any other person to whom the right of this present indenture shall come by any demise, grant, devise. assignant, or by any other act of law demise grant or let the said premises or any part by any colour of means to one Roger Manncell or to any other person claiming or pretending to have by or from the said Richard [*sic*] Manncell, then and thenceforth the same term to cease and these indentures to be utterly void. And the said John Hanbery, Thomas Acton, Richard Hanbery, Thomas Smith and John Mowle do for themselves etc., grant to the said John Puller etc. all the said messuage, half-yardland and meadow with all appurtenances thereof in manner aforesaid for the yearly rent aforesaid. In witness whereof the said parties, either to either interchangeably have put their seal dated the day above mentioned. Witnesses present at the sealing Lord delivering of this present indenture viz :—Charles Acton, Esq., and of the Manor there, Richard Hill.

[*Signet Letter, from the Council.*]

By the Queen.

Whereas divers good laws and Acts of Parliament remain in force at this time for the increase and breeding of horses geldings and mares, and for keeping able horses and geldings for service in the wars, and against their conveying out of the realm, and likewise for providing and keeping armour and weapons, the due observance of which laws has of long time been intermitted and now presently by us with the advice of our Council, found very necessary to be put in execution. We trusting in your fidelity, wisdom and circumspection have by the advice of our Vice-President [1] and Council in the Marches assigned and authorised you to be our Commissioners, and hereby give to you, 6, 5, 4, 3 or 2 of you, authority to enquire as well by oaths of lawful men of that county as by examination of witnesses of all persons within liberties as without, concerning all offenders against the said statutes since the 1st April last past. After this enquiry yon shall certify the Council of the Marches, according to the instructions here inclosed. Furthermore we have appointed you Commissioners to muster and cause to be armed all men able to bear arms, both horsemen and footmen, above 16 years of age, causing them to have armour and weapons inac cordance with their ability, and to be trained to serve as archers or arquebus men, as need shall arise. We have also commissioned any 3 or 2 of you to view yourselves and to furnish yourselves wtih horse-armour and weapons. You shall diligently carry out these commands. at certain days and places appointed by your discretion. All persons inhabiting there shall give you help and counsel in these matters Of your doings you shall certify the Council in the Marches before the 20th August next under your hand and seal, together with the names and surnames, the number of horsemen, footmen, archers and arquebus men and all armour, weapons, and other things mentioned above, also of the cities, towns, boroughs, sokes, hundreds, hamlets and parishes in which they dwell and of the diversity of armour wherewith they are armed. For the better execution of this you shall follow the order of certain statutes collected in a book in print and other instructions sent you herewith. Given under our Signet at our town of Shrewsbury, 11th July, 1569.

fo. 8. For the increased breeding of horses, geldings and mares.

[*Letter from the Privy Council.*][2]

To our loving friends the Vice-President and Council in the Marches of Wales. A petition has been received on behalf of the inhabitants of Anglesey. As some things in it may well be ordered by

fo. 46.

[1] John Throckmorton, justice of Chester.

[2] The Privy Council Register is missing from 3 May 1567 to 24 May 1570.

you the supplication is enclosed. We pray you to appoint skilful persons to consider and make report to you on the articles. Thereupon as may conveniently be ordered by you we pray you to proceed in the matter by your authority and we will, in case of need, assist you. Farnham Castle, 23rd August 1569. Your loving friends, F. Bedford, R. Leicester, E. Clynton, F. Knolles, W. Cecil.

[*Petition to the Privy Council.*]

fo. 47. To the Right Honourable the Lords and others to the Queen's Majesty's Privy Council. We the gentlemen and other inhabitants of the Isle of Anglesey humbly shew unto your lordships that whereas formerly in time of war and danger captains have been appointed to the Isle, which lies very open with six fit places for enemies to arrive, well known to the French and Spanish nations : and as of late diverse unknown ships have been observed passing by causing the inhabitants to doubt the worst and as there is at present no order in this behalf, they have thought it their duty to beseech your lordships to have consideration of the following petitions :

1. That no forces may be withdrawn from the isle and that forces from the other shires may be drafted there within an hour's warning in case of need.

2. That consideration may be had of the fact that the castles of Beaumaris in the Isle and those of Carnarvon and Conway adjoining are unfurnished of Ordnance fit for use.

3. That they may have from the Queen's stores six field pieces with shot and powder ; the inhabitants, although poor and of late sore charged with the provision of armour and munitions, will contribute part of the cost if they have time given them for levying it.

4. That the keepers of the Castles near to the Isle may be ordered to go there themselves or send fit persons to look after them.

And they shall daily pray etc.

At Shrewsbury, 31st August, 1569.

fo. 47. In consequence of the Petition of the Inhabitants of Anglesey and the opinion of the Privy Council that this Council might conveniently order the matter, letters are to be sent to the under named, with a copy of the article of petition ordering four or more of them to meet (calling others to them if they so wish) to discuss the petition and to make certificate thereupon to the Council before the last day of September, in order that the Council may take such measures as seem necessary.

Names of those commissioned—Sir Richard Bouckley kt., Richard Owen, William Lewes, Lewes Owen ap Mericke, Maurice Gryffyth

of Porthamet, Owen Woode, Owen ap Hughe ap Owen, Esqs., Thomas Bouckley, Clerke, John Lewes, Richard ap Rudderch, Rowlande ap Meredydd, Esqs., Owen ap John ap Rees gent.

Hughe Cholmundeley, Charles Foxe.

[*Report of Commissioners.*][1]

On receipt of the letter from the Council, together with the supplication, we called together divers of the most important persons in Anglesey to meet at Beaumaris on the 8th of this September, to consider the supplication and measures for the defence of this isle. We have concluded to be humble suitors to your honours for your good consideration of the articles following :—

1. That no men armour or munitions shall be drawn out of the Island but that all the inhabitants may be always ready to serve in it.

2. That your honours will grant a Commission either to the Justices of the Peace or other gentlemen of the shire, to take a muster and view of arms of all the inhabitants, appointing Captains in every hundred after the manner of the last Commission, in order that men may be more apt and ready for service.

3. That by the same Commission men of any competent ability may be compelled (though this does not extend to the Rates and Values of the Statute of Armour) to provide themselves with such arms as they are found able to buy.

4. That order may be taken whereby the forces of Carnarvonshire, the next main land, may be ready to support those of the island upon the firing of the beacons in Anglesey or other warning on some straight penalty.

Finally that it may please your honours to give credit to the bearer William Lewes Esq.

9th Sep. 1569, Beaumaris. Your humble orators

Richard Bulkeley, Richard Owen Tuder, William Lewes, Maurice Gryffydd, Owen ap Hughe, Owen Woode, Richard ap Rudderch, Rowland Meredydd, John Lewes, Owen ap John ap Rees.

[Part of report of proceedings of the Privy Council, 5th Feb. 1558].[2] fo. 48. It orders the L. President (the E. of Pembroke) to see that men from the shires adjacent to Anglesey are ready to go there if need arise and also to require the keepers of castles either to reside in them or to send fit deputies. *Copy by William Smith.*

[1] In the MS. this is wrongly placed after the letter of the Privy Council of 23rd Aug.

[2] Printed *A.P.C.* vi, 1556–58, 260. It was apparently copied here as appropriate to the subject under consideration, from a copy from the Privy Council Register. See above, p. 49, for the letter actually sent and the action of the Council thereupon.

At Bewdley, 15th November, 1569.[1]

fo. 9. For subscribing to the Act of Parliament touching the Uniformity of Common Prayer etc.

The Queen's Majesty has been lately informed that some of those persons in Commission of the Peace in the county of Pembroke, whose office and duty is to set forth and see maintained Her Highness' laws, ordinances and proceedings published by Her Majesty and agreed by the realm in Parliament, do nevertheless contemn and that of set purpose, to do the same in certain points concerning the state of religion established by the realm and set forth by Her Highness, as by not resorting to the Common Prayer and Divine Service, and not receiving the Holy Sacraments according to the order prescribed by law,[2] agreeably with the ordinance of Almighty God, thereby seeking to breed and bring forth such sects and factions as be the very seeds and roots of sedition amongst Her Majesty's people and leaving (?) full of danger to the common quiet and peace of the country. For the avoiding whereof, and to the end such disordered persons, givers of evil example in this behalf, may be known from the rest that do their offices and duties faithfully and diligently, according to the commission and trust granted and reposed in them. Her Majesty hath presently charged and commanded her Council in the Marches of Wales to advertise the Sheriff and Justices of the Peace in the county of Pembroke touching the premises, and to send the tenor of the letter annexed to them, to the intent the same may be returned and subscribed by the hand of so many of them as should allow and agree to the content thereof. It is therefore ordered by Her Majesty's said Council in the Marches of Wales that a letter rehearsing the premises be directed unto the Sheriff and Justices of the Peace of the said county of Pembroke with the minute of the said letter enclosed. Requiring them forthwith upon receipt thereof to assemble themselves together at some one place or more as shall seem meet for this purpose and there communicate that Her Majesty's order and proceed in their assembly to the execution thereof. And for due satisfaction of Her Majesty those which shall willingly subscribe the same shall advertise Her Highness' said Council in the Marches of Wales, not only who they be that shall in their presence refuse to forbear to subscribe the same but shall cause also such as be absent to have knowledge thereof with charge to come to some place and to subscribe it in the presence of some of them that have subscribed. And because there may be diverse persons in that county of Pembroke of livelihood who be not presently in the Commission of the Peace, and yet have been in former times, the Queen's Majesty's pleasure is that they all at their assemblies for this purpose shall by their pre-

[1] Transcribed in full; spelling modernized. The hand is different from that of the preceding entries.

[2] By the Act of Uniformity, Stat. 1 Eliz. c. 2.

cept in Her Majesty's name command all such persons to appear before them all or before some convenient number of them which shall subscribe the said letter and to such persons to cause the contents of this Her Majesty's order to be declared, willing them to subscribe the same. And thereupon Her Majesty's further pleasure and commandment is that of so many of them which either be no Justices of Peace or heretofore at any time have been as refuse to subscribe, that they shall take sufficient bonds wherein every of them being a knight shall be bound to the Queen's Majesty's use in the sum of £200 and being an esquire in the sum of 200 marks to be and remain of good 'haveringe'[1] and also to appear before the Lords of Her Majesty's most honourable Privy Council attending Her person whensoever they shall be warned so to do. And of their doings in performing the premises to advertise the said Council in the Marches within 30 days after the receipt of the same letters to the end the same Council may advertise Her Majesty thereof, and thereof not to fail as they tender Her Highness' pleasure.

Like several letters to the Sheriffs and Justices of the Peace of the several counties of Carmarthen, Cardigan, Glamorgan, Brecknock, Radnor, Montgomery, Denbigh, Flint, Merioneth, Carnarvon, Anglesey. And another letter of like tenor to the Mayor, Sheriff and Justices of the Peace of the town and county of Haverfordwest fo. 9v.

Our[2] humble duty remembered unto your lordships. This is to signify to the same that we whose names are by ourselves underwritten do acknowledge that it is our bounden duty to observe the contents of the act of Parliament entitled an Act for the uniformity of the common prayer and service in the churches and the administration of the sacraments. And for observation of the same law we do hereby firmly promise that every of us and our families will and shall repair and resort at all times convenient to our parish churches, or upon reasonable impediment to other usual chapels or places for the same common prayer, and there shall devoutly and duly hear and take part of the same common prayer and all other divine services and shall also receive the Holy Sacraments from time to time according to the tenor of the said Act of Parliament. Neither shall any of us that hath subscribed do or say or assent or suffer any thing to be done or said by our procurement or allowance in contempt, lack, or reproof of any part of religion established by the foresaid act. In witness whereof we have subscribed this present writing.

fo. 10. The tenor of the letter to be subscribed.

[1] Haveringe, havoir, behaviour, *Oxford English Dictionary*.
[2] In full: spelling modernized.

At Bewdley, 30th November, 1569.

fo. 6.[1] Whereas about 4 years ago certain armour was provided for the 12 shires in Wales, by special appointment of the L. President, to remain in a convenient armour house within the county to the use of the Queen's Majesty. And forasmuch as the Council now think meet and convenient that the said armour should remain in such safe custody and with such persons of credit as it should neither be 'eloyned,'[2] embezzled or otherwise employed than for the service of the Queen's Majesty as thought meet by this Council. It is therefore ordered that several letters rehearsing the premises be directed to the gentlemen undernamed in their several counties, requiring them in her Majesty's name to take charge of the armour provided for that county so that it may remain in their custody, without disposition or intent to use it otherwise than for such service of the Queen's Majesty, and at such times and places as this Council shall appoint. And that the same may be in readiness at the direction of this Council as they tender their credit and duty to the Queen, and will for the contrary answer at their peril and in that part to certify &c.

List of counties and persons appointed :—

Pembroke :—Sir John Perot kt., John Bradshawe Esq., and the Sheriff.

Cardigan :—John Price, David ap Jevan Lloid Vaughan, John Powell, and the Sheriff.

Carmarthen :—Sir Henry Jones kt., Gryffyth Rees Esq., and the Sheriff.

Glamorgan :—William Herbert of Swansea, Edward Manxell, Esqs., the Sheriff.

Brecknock :—Sir Roger Vaughan kt., William Games Esq., and the Sheriff.

Montgomery :—Edward Herbert, John Price of Newtown, Esqs., and the Sheriff.

Denbigh :—Sir John Salusbury kt, Elija Price Esq., and the Sheriff.

Flint :—William Mosten, John Gruffydd, Esqs., and the Sheriff.

Radnor :—Thomas Lewes, James Price, Esqs., and the Sheriff.

Carnarvon :—Sir Rees Gryffydd kt., Mawryce Wyn Esq., and the Sheriff.

Anglesey :—William Lewes, William Gruffydd, Esqs., and the Sheriff.

Merioneth :—John Owen, Rees Hughes, Esqs., and the Sheriff.

Hugh Cholmondley, George Bromley.

[1] This is the first remaining leaf of the original unbound MS.

[2] Eloyn, eloin, eloign, etc. to remove to a distance, *O.E.D.* E.g. 'If any person eloine himself' (Stat. 31 Henry VIII, c. 8).

At Bewdley.[1]

Upon receipt of the Queen's Majesty's proclamation of the tenor fo. 16v.
of the. . . It is ordered by the Queen's Majesty's [Council in the] Marches of Wales that several letters be directed [to the Sheriffs] of the several counties undermentioned, with the number . . . particularly undermentioned therein closed, commanding them . . . singular places within their several bailiwicks, as well with [in liberties as] without where the same to them shall seem most expedient . . . and openly to publish the same proclamation, set forth by . . . majesty. By the advice of her Council, and after the publi[cation] . . . to fix the same upon tables and posts . . . places con[venient] to the Queen's Majesty's subjects there resorting in . . . the same and thereby to understand the effect of the said. . . . And that they omit not the due accomplishment thereof, as they . . . the service of the Queen's majesty, and will for the contrary answer at their peril.

Pembroke, Carmarthen, Glamorgan, Brecknock, Denbigh, Montgomery, 3. Cardigan, Radnor, Anglesey, Carnarvon, Merioneth, Flint, 2.

[*Portion of proceedings at a meeting of the Council.*]

'. . . few rest at home . . . commandment whose like con- fo. 7.
tinuance and encouragement . . . at their dwelling houses and at all assemblies . . . be chief occasions of all the assaults and affrays . . . and likewise conferring with such the rest of the justices of the peace of the county as be well known to the Council persons indifferent maintainers of peace and quiet not favouring any of those parties to the factions by them to learn and understand the best way how to reform and bring in order these the aforesaid outrageous offenders and disorderous persons.[2] It is therefore ordered that Roger Barbor one of the Pursuivants attending this Council be forthwith sent with the Queen's letters directed to the several persons subscribed, reciting this order, commanding them all on pain of their allegiance to appear before this Council at the day given on their names : letting them know further that if any affray arise before their repair here between the servants or attendants

[1] The date is torn away. In the incomplete state of this entry it is impossible to say to which proclamation it refers. But as it is in the same hand as the entry immediately preceding it is probably of date 1569 or 70. It may well have been one of the following :—A Proclamation against Piracy, 3 Aug. 1569, A Proclamation against the Earls of Northumberland and Westmorland, 24 Nov. 1569, A Proclamation declaring the falsehoods, etc. of the rebels, 28 Nov. 1569.

[2] In full up to this word, so far as it remains. The commencement with date and place, is missing. Glamorgan is probably the shire referred to, as Thomas Lewis, Thomas Morgan and Leyson Price were of that county (see below, p. 74).

of any of them, they shall be responsible for bringing the offenders before this Council. And forasmuch as this Council also thinks meet that all such persons should be called before it and duly punished as within this year last past have committed so many assaults and affrays as were presented before the Chief Justice of the said county by the Constables of every hundred at the last Great Sessions and by him shown to the Council—of which riots, or at least of the greater part of them, the Council had not before received knowledge, it is therefore ordered that letters be addressed to the Sheriff of the said county, and to Thomas Morgan Esq., Queen's Attorney there, Thomas Lewis and Leyson Price Esqs. there charging them to bind the several persons undernamed in several bonds with two sufficient sureties for every person in the sum of £40 for their personal appearance before the Council on the days fixed. And upon their appearance not to depart without the special licence of the Council and to certify the several bonds. . . .

[*At*] *Bewdley*, 17*th January*, 1570.

ff. 10–10v. A Placard or Warrant for the Sheriff of the County of Merioneth.

Whereas the counties of Cardigan and Montgomery bordering upon parts of the county of Merioneth,[1] do sometimes give occasion to offenders in the county of Merioneth to fly into the said counties, whereby, the Sheriff of Merionethshire not having authority to apprehend the offenders therein, they have escaped punishment. Consideration of this has before this time, upon good consideration of the good and faithful service of the Sheriff of Merioneth, moved the Council to commit further authority to him than belongs to his office. And forasmuch as Owen Wyn Esq. now Sheriff is commended to the Council by the Chief Justice of that county as worthy of like credit, it is therefore ordered by the Council that letters placards be devised commanding and authorising the said Owen Wyn in all places by him thought meet as well within the said county of Merioneth as within those of Cardigan and Montgomery, to make diligent search for all outlaws murderers felons and suspects of felony and to apprehend and examine them putting their examinations in writing ; and if any matter of offence committed by them in Merioneth fall out against them worthy of imprisonment, then to commit them to gaol in Merionethshire according to the quality of the offence, there to remain until delivered by order of law ; otherwise, as the matter requires, to take sureties for their personal appearance at the Great Sessions of the county to abide trial for

[1] Sir John Wynne, *History of the Gwydir Family*, e.g. 61, 75, describes similar practices as common in his day. See W. Llewelyn Williams, *The Union of England and Wales* (Trans. Soc. Cymm., 1907–8), p. 73 for a notice as to the prevalence of this habit in Bishop Rowland Lee's times. By Stat. 26 Henry VIII, c. 6 § 10 felonies committed in Merioneth might be inquired into and punished in the counties of Carnarvon and Anglesey.

all charges against them, and not to depart thence without licence ; or else to send them to this Council certificate of the matter laid to their charge. All officers, ministers and subjects are to aid the said Owen Wyn in and for the due execution of the premises. The said letters placards endure until the Feast of All Saints next and no longer.

Hugh Cholmondley, Charles Foxe.

ff. 12–14v. For Tracks.

Whereas[1] complaint has often been made to this Council by Justices of the Peace in several of the counties of Wales, and others known as good servitors in the furtherance of justice in their counties, that the manner of following tracks from township to township as in use to day, is shewn to be the cause of many ' stelthes ' and felonies, of the slow pursuit made after felons, of intolerable charges in suit before this Council for recovery of stolen cattle upon the delivery of track, of frauds, deceits and subtle indirect practices used in following, delivering and leaving the same track, of untrue surmise in bills for the obtaining of price for the same and of great, horrible, wilful and most detestable perjury ofttimes committed as well by witnesses to prove the receipt and delivery of tracks who can not certainly discern the same, as also by the owners of the cattle who commonly price their cattle above their real value or selling price. It is likewise the only cause whereby many poor freeholders and others inhabiting in the townships where the tracks are lost and so compelled to pay for the cattle according to the owner's valuation have been brought to utter beggary, forced to sell their land and leave their habitations. And as of all this they have exhibited to the Council the articles hereunto annexed, forasmuch as the Council find the same articles true in most points, and supposing that if the number of bills of tracks which are now ordinarily received in court and have thereupon without denial process granted upon them, were reduced, it would ease the complaints this Council desires to help :—

Therefore it is ordered that henceforth no bill concerning tracks shall at any time be received in court or process granted upon it except the complainant shall in his bill declare that he himself (if the cattle were stolen from him) or his keeper (if the cattle were stolen from him), followed the tracks from the place where the cattle were stolen to the place where the track was lost, *from Commote to Commote* which was the ancient custom of Wales and not from township to township as since the ordinance for Wales. And it

From Commote to Commote and

[1] No date or place given. From its position it was probably issued early in 1570. It must be of date earlier than June 1570, for Edwin Sandes, Bishop of Worcester, was translated to London 2nd June 1570. See below, p. 98, for the allowing of an exception to the ruling here laid down and Intro. p. 16.

not from township to township.

is further ordered that upon every bill on which process is granted the complainant shall call but one person of the place where the track was lost to answer to the complaint. If all this and the continual attendance of the complainant on the tracks from the place of stealing to the place of losing the track be not observed, and if the complainant fail to prove any of these points in his bill, then he shall pay to the defendant such costs as he shall depose he has sustained. If the complainant shall prove the points of the bill to be true then all the inhabitants of the Hundred or Comote where the track was left are to pay for the cattle what the plaintiff by such sufficient witnesses or proof as the Council think fit, shall prove them to be worth and not upon affidavit of the plaintiff only. Provided always that if any person whose cattle has been stolen shall in convenient time after the felony request any of the inhabitants of that or any other township where the track has been driven, to help him to pursue it and he or they refuse, then on complaint to the Council those refusing shall be sent for to answer the complaint and to pay reasonable costs and damages sustained by their remissness.

John Throkmorton, Ed*winus* [Sandes] Wigorn*ensis*, Ric*ardus* [Davyes] Menevens*is*, W*illelmus* [Downham] Cestrensis, T*homas* [Davis] Assaph*ensis*, N . . . ood, W*illia*m Herrowde, Ric*hard* Pate.

'Articles causes and considerations alleged by the knights and burgesses of the towns and 12 shires of Wales why they most humbly desire that the pursuit and following of tracks in Wales now by certain wilful, subtle and evil disposed persons abused to the vexation and undoing of great numbers of honest true men, may be reformed and reduced to the plain meaning of the statute made for track a° 34 Henry viii.'

1. Experience and long proof has taught us that stolen and lost cattle are commonly driven through such great commons and highways where hundreds of like beasts daily and hourly pass, so that it is impossible for any owner to pick out the true track of his stolen beasts from hundreds of others of like age and size continually depasturing in the same highways, mountains and commons.

2. Experience and daily proof has taught us that the common offenders and evil doers in that country of Wales do not immediately after stealing beasts drive them away, but to prevent the seekers of the track they hide the beasts in some secret place, desert cave or thicket of wood. Upon the levying of the cry the thief himself arises and is most busy and earnest upon the track of special intent to induce the owner to follow a false track. After that he conveys

away the stolen cattle over great commons and mountains commonly lying open at every man's door where either the rock is so bare or the greensward so short and hard that no track may be found.

3. Experience and long proof has taught us that some lewd and naughty persons will affirm that they have beasts stolen when indeed it is not so. Thieves being assured that upon their oath and delivery of a track they shall recover the value and recompense at the Council, will deliver some false track. It has been proved many times that the owner will kill a beast in his own house or convey him to sell into some far English market and afterwards levy Hue and Cry and deliver a false track solely in order to get money and recompense where none ought to be paid.

4. After the stealing of beasts and the delivery of track, the thieves and cattle having been by some chance taken in another place, it has been confessed and proved that neither they nor the cattle ever came near the place where the track was delivered.

5. The abuse in following tracks is cause of most shameful and common perjury and also of such beggary, lamentable misery and undoing of hundreds of honest poor men that the grief is at present intolerable. For besides that the owner commonly falsely swears the delivers a true track, in his suit for recompense before the Council he not only swears the same but also procures and suborns a great number (whose turn he and others must prove again in like suit) to swear the same and swears his beast to be worth 30*s*. or 40*s*. when it is not worth 10*s*.

6. The owner in these cases recovers, over and above the value of his cattle, costs of suit against the township where he delivered the track. Then that township so condemned calls into suit the next township wherein they delivered the track and in like manner by false oaths and suborning of witnesses recovers against them the value of the beasts stolen and the costs adjudged to the owner and their own costs sustained in this second suit. And that township acts in like manner against another in this most troublous and lamentable wise so that besides the common perjury 100 persons at least are infinitely troubled and often £100 is spent about the supposed loss of one beast which was not stolen indeed or not worth 10*s*. at most.

7. Albeit the said ordinance at first enacting was most wisely made upon hope that every neighbour and township to avoid paying for stolen cattle would more diligently watch and travail to apprehend the thieves, as indeed at first happened, yet the frailty and subtlety of those evil disposed persons was and is such that after time and devices had made them cunning in abuse of the statute. it is now the greatest cause of perjury and increase of thieves and felonies. For the owner, assured of recompense upon delivery

of track before the Council, is more careful how and where to find and deliver a track than to pursue the felon. The felon likewise, assured that the owner having recovered costs and more value than his loss amounted to will never pursue him to death, is thereby encouraged oftener to commit the like offence.

8. Experience has taught us that if the felon chance to be taken, the corruption of the country is such that for kindred, alliance or other cause, the owner will never pursue the felon to death unless he be straightly bound thereunto by the Council, the Sheriff, or the Justices of the Peace.

9. Experience has taught us that the owner recompensed and the townships quieted, the felon may safely return to his dwelling and country assured that no one will pursue him.

10. The country is and has long been so tormented with false cries and delivery of false tracks in pursuing the same in most perilous and tempestuous weather over hills and mountains all winter covered with snow, and then so plagued with suit and expenses, that great numbers of honest poor and true men for felony and avoiding these troubles have utterly forsaken their living and dwelling places.

The words of the statute [1] are that if any goods or cattle are stolen in the said shires in Wales then upon suit thereof the track shall be followed from township to township, lordship to lordship according to the laws and customs heretofore used therein, upon the pains and penalties heretofore accustomed.

11. The burgesses and knights affirm that the laws and customs for following tracks in Wales before the Statute were that the owner should follow the track from one lordship or commote to another, and that when he could find or follow it no further he should come the next Leet or law day held at the lordship or commote where the track was left and there before the said Steward and homage sworn, present and prove the number, age, colour and value of his stolen beasts, and that thereupon the said Steward and homage should immediately tax and assess the recompense and value.

12. They say that if the said recompense and value were not levied and paid before the next Leet, the owner or grieved party on suit to the Council in the Marches should have a letter to the Steward of the Leet commanding him to see the plaintiff recompensed or else appear and answer.

13. They say that the homage sworn in that commote or lordship being neighbours and thereby on the fresh scent well knowing

[1] Stat. 34 and 35 Henry VIII, c. 26 § 106 : 'If any goods or chattels be stolen within the limits of any of the said shires of Wales, that then upon suit thereon had and made, the track shall be followed from township to township, or lordship to lordship, according to the laws and customs in that behalf hitherto used in Wales, upon such penalty and danger as heretofore hath been accustomed.'

both whether any cattle were lost and of what sort and value they were, are better able to yield the owner more true value and more speedy recompense than now after long suit, great expense and intolerable trouble is adjudged before the Council upon the oath of the owner alone. Who for lucre and false gain will and daily doth distrain his conscience, and besides the great trouble, vexation and impoverishment of the country, commits most shameful perjury as in these articles plain appears.

[*Signet Letter*][1]

By the Queen.

ff. 15–16, Commission for Musters.

Trusty and right well beloved we greet you well. And let you wit we have thought very requisite at this present for our service and for the having our subjects in good order and furniture for the strength of our realm to direct our letters to our Lieutenants in our several counties in such form as you shall perceive by a copy thereof hereunder written. We pray you to consider the same and thereupon to give order through your Commission (saving where we have appointed special Lieutenants) that our pleasure and good meaning therein may be speedily and effectually executed by such discreet and able persons by your appointment (where you cannot be present yourself) as you shall know to be well affected to the furtherance of our service and will see the same well and duly done as you may perceive by our said letters our desire is: leaving to your discretion the alteration of the form of our said letters as you shall think fittest for the several parts our rule and commission. Given under our Signet at our Honour of Hampton Court, 15th February, 1570.

[*General letter to Lieutenants of Shires*].[2]

Forasmuch as lately, by reason of the rebellion in the north parts, we commanded our subjects in most of the shires of our realm to be armed, horse and foot, and upon mustering a great part were unable to serve not for want of numbers, strength, goodwill or ability but for lack of horses geldings and furniture belonging thereto, and of armour and weapons for footmen. The want thereof would the more have grieved us but that we were duly certified from all parts of the realm (saving from the very corners which the heads of this

[1] Change of hand. At fo. 16 there is a break owing to the displacement in binding of 10 ff., though the original numbering of the leaves is correct. The document is continued on fo. 26.

[2] There is a notice of the despatch of this letter in *S.P.D.* 1547–80, p. 363, and of apparently similar letters of date 10th March *ibid.* 365–6; cf. also 332, 370.

rebellion occupied for the time) that our whole people were found loyal and willing to serve against the rebels, of which we had proof in the no small numbers speedily levied and most willingly conducted in our army to the north. And as for their want of horses, armour and weapons they were willing to provide, we having had consideration thereof and finding that our subjects should at the present time be otherwise furnished than it seems they were lately, have thought it most necessary to take some order therein. To this end we commit the principal charge herein to you, of special trust made our Lieutenant General of our county of *A*. Therefore we require you forthwith to cause 'views' to be made in every part of those shires, in liberties as without, of all chargeable by their lands (not by the under values contained in subsidy books) to provide horses or geldings ready to be shewn with their furniture before you on some day. Thereupon you shall charge those defaulting, or lacking meet horses or furniture, to repair their lack by another day fixed by you, on pain of being sent here to appear before our Privy Council and receive requisite punishment. After viewing the horsemen you shall cause a muster book of them to be made noting (*a*) How many are fully serviceable at the time of your view, (*b*) How many have horses at present unfit for service for lack of good feeding but able to be made fit before summer. Those presented but unfit either for the lance or the light staff you shall utterly reject, charging the parties to provide better by a fixed day. And though we desire you should view all the said horsemen yourself yet if you find that difficult because of the size of the shire or any other reason, we require you to make good choice of persons to whom you may commit the charge that all the horsemen in your lieutenancy may be seen, mustered and duly registered though in several places but on one day to avoid fraud. And as you see by these directions how careful we are to have this service for horsemen advanced, whereof we trust you will consider how much it imports both us and our realm, so we require you to use all possible care to cause all manner of footmen to be better armed and weaponed and to increase the arquebus men to the utmost, seeing that the armour and shot provided are good; for this we have ordered a new proportion to be brought from beyond seas that shall be well seen to be better and of more surety than we understand some—costing us indeed no less money than the best—to have been. Our desire is in these matters that you shall confer with such of the principal gentlemen of your lieutenancy as you know to be loyal that by their persuasions and your directions this our meaning may be speedily executed. Given under our Signet at our Honour of Hampton Court, 13th February, 1570.

At Bridgenorth, 4th March, 1570.

It is ordered by the Council that several letters of the effect and tenor of the minute of the letter hereunto annexed, be sent to the Sheriffs and Justices of the Peace of the several counties mentioned in the schedules annexed, or to any six of them, the Sheriff and any two of the persons named for each county being three of them. ff. 16v.

Names of the Commissioners for execution of the tenor of the commission annexed :— ff. 17–18.

Denbigh :— Sir John Salusbury kt., Ellice Price Doctor of Law, John Lloid of Yale, John Salusbury of Rug Esqs.

Flint :—William Mosten the Elder, Roger Brereton, John Gruffydd, Roger Puleston the younger Esqs.

Montgomery :—Edward Herbert, John ap Hugh, Randle Hanmer, William Herbert, Esqs.

Merioneth :—Ellice Price, John Owen, John Lewes Jevan, John Morgan, Esqs.

Carnarvon :—Sir Rees Gryffydd kt., William Gryffydd, Richard Mosten, Richard Gryffyth, Esqs.

Anglesey :—William Lewes, Lewes Owen ap Morice, Owen Wood, Maurice Gryffydd, Esqs.

Radnor :—James Prise, Thomas Lewes, John Bradshaue, Edward Prise, Esqs.

Brecknock :—Sir Roger Vaughan kt., William Games, Richard Prise, Edward Herbert, Esqs.

Glamorgan :—William Herbert of the Castle of Cardiff, Edward Manxell, Thomas Carne, Leysen Price.

Carmarthen :—Sir Henry Jones kt., Gryffyth Rees, Richard Vaughan, William Davids, Esqs.

Pembroke :—Sir John Perrot kt., William Phillipes, John Wogan of Boulston, John Barlow, Esqs.

Haverfordwest :—The Mayor, Sheriff and Justices of the Peace.

Cardigan :—Sir James Williams kt., John Prise, John Powell, John Stedeman, Esqs.

Hereford :—John Scudamore of Homme, John Hubande, George Aparry, Gregorye Pryse.

Monmouth :—Charles Somersett, William Morgan of Pencoed William Herbert of Coldbrook, William Morgan of Llanthony, Esqs.

[*Letter from the Privy Council*].[1]

We send you herewith the copy of a letter written by the Queen's Majesty's commandment to the Lieutenants, Sheriffs fo. 18v.

[1] The Privy Council Register is missing from 3 May 1567 to 24 May 1570. There is no reference to the subject of the letter in *S.P.D.*

and Justices of the Peace of the several counties throughout the realm, concerning certain articles to be answered to us by the Commissioners for Musters and others concerned therewith. In order that Her Majesty's expectation therein may be satisfied, we require you to cause like letters to be sent to the Sheriffs and Justices of the Peace of each of the twelve shires of Wales in your commission as in like case you are other times accustomed. And upon the return of their answers to you we require you to send them to us by the day prefixed in the said letters at furthest.

From Hampton Court, 12th April, 1570.

F. Bedford, R. Leycester, F. Knolles, James Croft, W. Cecill, W. Myldmay.

[*General letter of the Privy Council.*]

ff. 19–20. The Privy Council's letters touching the collection of sums of money by colour of Musters.

The Queen's Majesty is informed, as we also have been, that of late in the execution of Her Commissions sent through Her realm this last year for general Musters of Her subjects and for preparation and increase of horses, geldings, armour, weapons and other furniture to enable Her subjects to serve on horseback and on foot, divers and great sums of money have been by order of the Commissioners assessed upon Her subjects and in part collected and spent, in part in readiness and either not collected or not spent. And as Her Majesty considers that without some extraordinary contribution no such furniture as is meet for the common service and defence of our realm could be provided ; so nevertheless because the report of the charge in sundry parts is made too great and burdensome—which is to be well allowed, being circumspectly expended for the public service of her realm, if otherwise, to be misliked—Her Majesty has commanded us to have care thereof and to cause inquisition to be made through all shires of the realm, in what sort this service has proceeded and taken effect. And therefore we require you by these letters to cause without delay an assembly of the Commissioners for Musters and the Justices of the Peace in that shire to be made in some one or more convenient place according to custom, and to impart this Her Majesty's intention. Thereupon we require you and all the Commissioners and Justices to cause speedy and due inquisition to be made in every accustomed division of the shire in exempted places as otherwise, of these articles following ; and that particular certificates be made for every allotment and division under the hands of the Commissioners and Justices thereof, in answer to these articles. If any make default we require the rest upon inquisition to make due answer and certificate.

The Articles to be answered.

i. What sums of money have been assessed or taxed since the

date of the last commission for musters in that shire, for provision of any kind of armour, weapon, shot, powder or such like, for any township, parish etc. to serve the whole shire or any hundred, wapentake or like division, or for any city or place privileged; how much of that money has been collected and to whom it has been paid; whether the same armour, weapons and such like is provided according to intention and where it is bestowed. And if the money is taxed and not collected or collected and not expended, with whom it remains, and how much.

2. Like inquisition and answer would be made (*mutatis mutandis*) for taxations, collections or assessments of money for furniture and having in readiness any manner of soldiers, horse or foot, both for such as have been appointed to remain in readiness for service, as for those sent forth to any service. In this case it is to be remembered how much has been taxed, levied and spent for coats and other apparel and small weapons; for conduct or reward to the captains and soldiers or to any of them, over and above the sums allowed by Her Majesty according to the usual rates; what sums have been paid to any captains, petty captains, conductors, leaders, constables or any others, and to whom the same has been paid for discharging or excusing any persons from service either before sending forth or in service.

3. What sums have been collected or what distributions made for buying or hiring any manner of carriages, provision of victuals or labourers or pioneers, both for their wages and conduct as for their weapons and tools, and how the same have been spent and who ought to be answerable therefor.

4. Where any persons have been sent out in service with horses, geldings, armour and weapons or money to buy the same, it is to be certified how the same has been returned into the countries, what charges have been borne or demanded for their return, and how they are kept and preserved for service. If there has been any default in return and delivery, to whom is it to be imputed.

5. Because direct and perfect answers may be made to all the articles and every point thereof for the satisfaction of Her Majesty, we require you to cause several copies to be made of these articles according as the divisions of the shire demand, so that in every allotment, as well in liberties as without, the articles may be answered in every point with subscription of your or other names by hand-writing. We require that answer may be made with as much speed as reasonably may be, and in no wise after Whitsunday.[1]

Hampton Court, 10th April, 1570.

F. Bedford, R. Leycester, F. Knolles, James Crofte, W. Cecill, Wa. Myldmay.

[1] May 14th in 1570, i.e. just over a month. The returns for the different

At Shrewsbury, 12th June, 1570.

ff. 20v. Armour and weapons.

Whereas the Council in March last by special command from Her Highness awarded out several commissions under Her Majesty's seal remaining with the Council, to sundry persons in the counties undermentioned, for the furniture of armour and weapons and the preparation of horses and geldings to be ready for service of Her Majesty by every one to whom it appertains by the laws of the realm, returnable at a day past. And albeit such choice of Commissioners was made as this Council thought would have such care to the execution thereof that should have fully answered Her Majesty's will and pleasure, yet the Commissioners not answering the Council's good opinion of them, made such uncertain certificates and returns of their doings that this Council was forced on their receipt to renew their Commission and that they might the better perceive the pleasure of the Council, by the same letters one of the Commissioners was commanded to appear personally before the Council with a full and perfect certificate and to make report of their further proceedings, at which return some whose names are subscribed appeared and all the rest made default. Wherefore upon consideration, it appears to this Council that there is such default and lack of horses and geldings, as well in the Commissioners themselves as in others of calling in the said several counties, and withal such negligence and contempt in them severally, that the Council for discharge of their duties, must rate their furniture themselves, and so warn them in time to make preparation of that present want.

It is therefore ordered by the Council that the persons undernamed of the said several counties shall prepare and have in readiness the furniture of horses and geldings mentioned at their names, to be viewed, mustered and seen before the gentlemen named in the annexed schedule, specially appointed by this Council, before the 1st August next; and from then to be ready for service at commandment. For that purpose a letter mentioning the premises is to be sent to the said gentlemen undernamed rated as aforesaid, not only commanding them to make their preparation of furniture but also such gentlemen as heretofore made default of appearance to appear the 8th August next to answer for their contempt. It is further ordered that letters be addressed to the Sheriffs of Carnarvon, Anglesey, Merioneth, Denbigh and Pembroke, commanding them to assemble the Justices of the Peace in those counties and declare the order of the Council, that they, rateably assessed, pay to the persons subscribed who appeared before this Council £3 6s. 8d. each toward

counties of England, dated from the middle of April onwards, are given in brief in *S.P.D.* 1547–80, 370 *seq.* and a much more detailed account of the return for Dorset is given in the Addenda to the *S.P.D.*, 1566–79, 298–300. These articles make those certificates more intelligible. The Welsh certificates are entered below.

their charges. He who fails to contribute is to appear before the Council the 10th November. Another letter is to be sent to the gentlemen named in the schedules, appointed to take the muster and view of the said persons and their geldings, willing them for the service of the Queen's Majesty to be diligent therein and to advertise the Council by certificate, of the furniture, wants and defaults in every person on the said 8th August next. And forasmuch as by the default of the said Commissioners divers persons not in the Commission of the Peace and yet by their livelihood and lands chargeable for the furniture aforesaid, are not named in the certificate, the Council has thought meet to inquire of their abilities otherwise. Therefore several letters are to be sent to the Justices of the said Counties rehearsing this, willing them at their next sitting to make serious inquiry and advertise the Council of the ability of every person of lands of £20 yearly upwards within 6 days of the end of their sitting.

List of those who appeared :—Carnarvon—Richard Mosten ; Anglesey—Owen Wood ; Merioneth—John Owen ; Denbigh—John Lloid of Yale ; Pembroke—John Barlowe.

List of those who made default :—Flint—William Mosten the elder, sick ; Radnor—James Price ; Brecknock—William Games ; Glamorgan—Leyson Price ; Carmarthen—Gryffyth Rees ; Monmouth—William Morgan of Pencoed.

Excused by oath—Cardigan—John Stedeman.

List of persons responsible for furnishing horsemen and armour :— fo. 22.

Pembroke—The Sheriff to take the musters.[1]

Two light horsemen furnished—John Wogan of Wiston.

[1] The list may be taken to throw some light on the comparative wealth of the Welsh shires. Arranged in descending order, the list is as follows —

	Demi-lances.	2 Light Horse-men.	1 Light Horse-man.	Total		Quotas required in 1577 (see p. 161).
				Demi-lance,	Light Horse-	
Glamorgan . .	2	5	10	2	20	100
Carnarvon . .	1	1	18	1	20	50
Denbigh . . .	1	1	18	1	20	50
Carmarthen . .	1	1	13	1	15	50
Flint	—	2	12	—	16	50
Anglesey . . .	1	1	12	1	14	50
Brecknock . .	1	1	11	1	13	50
Montgomery . .	—	—	12	—	14	50
Cardigan . . .	1	1	9	1	11	50
Pembroke . . .	—	1	10	—	12	100
Radnor . . .	—	—	11	—	11	50
Merioneth . .	—	—	10	—	10	50

One light horseman furnished—Gryffyth Whyte, Erasmus Saunders, Thomas Clerk, William Philippes, John Wogan of Boulston, Rees Morgan, John Bradshawe, John Barlowe, Rees ap Owen, Thomas Abower, Esqs.

Merioneth—The Sheriff to take the Musters.

One light horseman furnished—Edmond Mericke Doctor of Law, John Owen, Hughe Vaughan, Rees Hughes, Rees Vaughan, Hughe Owen, John David Lloid, John Lewes Jevan, Henry Powell Clerke, John Morgan, Esqs.

Anglesey—The Sheriff to take the Musters.

One demi-lance and 2 light horsemen furnished—Sir Richard Bulkley kt.

One light horseman furnished—William Lewes, Richard Owen Tudor, Lewes Owen Mericke, Esqs., Rowland Thomas Doctor of Civil Law, William Gryffyth, Morice Gryffydd of Porthamet, Rowland Meredydd, Owen Hughes Esqs., Hughe Morgan Bachelor of Law, Richard ap Retherch, Owen Woode, Rowland Boulkley, Esqs.

Montgomery—The Sheriff to take the Musters.

Two light horsemen furnished—Edward Herbert Esq.

One light horseman furnished—Richard Prise Clerk, Richard Lloyd, Rees Morice, John Price of Newtown, Thomas Tannatt, John Gwyne, Edward Davies, Robert Mydelton, Edmond Lloyd, Humphrey John, David Lloyd Blayney, David Lloyd Jenkin, Esqs.

Cardigan—The Sheriff to take the Musters.

One demi-lance and 2 light horsemen furnished—Sir James Williams kt.

One light horseman furnished—John Prise, David Jevan Lloid Vaughan, Hughe Llewellyn Lloyd, John Stedeman, John Lloyd of Kilgom [?Kilgwyn in Nevern], David Lloyd Meredydd, Edward Powell, Rees David Jenkyns, John Powell, Esqs.

Glamorgan—Thomas Lewes, Sheriff there, to take the Musters.

One demi-lance and 2 light horsemen furnished—Sir George Herbert, kt., Edward Manxell Esq.

Two light horsemen furnished—Edward Lewes, Robert Gamage, Thomas Carne.

One light horseman furnished—William Herbert of Cardiff, William Herbert of Cogan Pill, Esqs., William Evans Bachelor of Law, William Mathewe, William Bassett, William Jenkyn, Thomas Lewes, Leason Price, Myles Britton, Christopher Turville, Esqs.

Carmarthen—The Sheriff to take the Musters.

One demi-lance and 2 light horsemen furnished—Sir Henry Jones kt.

One light horseman furnished—Gryffyth Rees, Richard Vaughan, John Howell John, John Vaughan, Thomas Vaughan of Penbryn, Maurice Rees, David Vaughan, Jenkin [1] David John, John Thomas Parrye, Rees Thomas Lewes, William Davies, David John Gwilliam, Owen Donne Esqs.

Radnor—The Sheriff to take the Musters.

One light horseman furnished—Thomas Lewes, James Price, Edward Price, Jevan Lewes, John Bedowes, Morgan Meredydd, Henry Stanley, Owen Phillipe, Robert Vaughan, Gruffyth Jones, David Lloid ap Meredydd Esqs.

Flint—The Sheriff to take the Musters.

Two light horsemen furnished—Sir Thomas Hanmer kt., William Mosten the elder Esq.

One light horseman furnished—William Hanmer of Fenns, John Gruffyth, Hugh Evans clerk, John Conway, Pyres Mosten, Gruffyth Jones, George Ravenstroste, Harry ap Harry, Edward Lloid, Roger Pulston junior, John Hanmer, Roger Brereton, Esqs.

Denbigh—The Sheriff to take the Musters.

One demi-lance and 2 light horsemen furnished—Sir John Salusbury kt.

One light horseman furnished—John Price of Eglwysegle, Edward Almer, Robert Pulson, Symond Thelwall, John Salusbury of Rug, John Lloyd of Yale, John Edwards, John Price of Derwen, Thomas Morice, Thomas Ryllytt, Robert Lloyd of Chirk, John Trevor, Hughe ap Hughe, Pryes Owen, John Rogers, Hugh Pulson, William Hollande, James Gylton, Esqs.

Carnarvon—The Sheriff to take the Musters.

One demi-lance and 2 light horsemen furnished—Sir Rees Gruffyth kt.

One light horseman furnished—John Gwynne, Rowland Thomas, Doctors of Law, Morice Wine, Rees Thomas, Robert Wyne, Gruffyth Davies, Gruffyth Madryn, William Richard Robert, William Glen, Ellice Morice, Edward Conwey, John William Hughe, Edward Williams, Rowland Pulston, John Thomas Goch, Richard Gruffyth, Richard Mosten, Esqs., Thomas Madryn Esq. student of the Inner Temple.

Brecknock.

One demi-lance and 2 light horsemen furnished—Sir Roger Vaughan kt.

One light horseman furnished—William Games, Richard Price, Esq., Thomas Huet clerk, Edward Herbert, Henry Vaughan, John Walbyss, James Gomounde, Owen ap Jevan Bedo, Phelyppe Jones, William Watkins, Lewes Gunter Esqs.

[1] Jevan written and crossed through.

ff.26–26v. *At Shrewsbury, 12th June, 1570.*

Examiners' Office.

Whereas the Council travailing daily for the hearing and determination of causes as well touching Her Majesty as otherwise according to the charge committed to it, finds such delays and indirect dealings used by the special Commissioners agreed upon by the parties after the joining of issue for the examination of witnesses in the country that sometimes the depositions are falsified, written contrary to the declaration of the witnesses, sometimes put in writing by a clerk in a corner, the Commissioners not knowing. And when any party is willing to have the matter delayed there have been and will be such shifts and devices of excuse by the one commission or the other that sometimes poor men's causes are hindered and protracted for a year or two before the witnesses can be examined. And when examined, it is often done by such ignorant Commissioners that many times the cause is lost thereby and sometimes ensues further charge to the parties either to re-examine the witnesses or else to examine further witnesses very chargeable to the subjects.

And forasmuch as this Council's proceedings are to be directed chiefly by the sayings and depositions of witnesses for trial of the truth in matters coming before them, in which case the Queen's Majesty by instructions signed under Her Majesty's hand has required that the depositions and examinations of witnesses should be discreetly and sincerely[1] taken. It is thought very meet to the Council to provide some speedy remedy herein both to cut off the aforesaid delays and for the better proceedings of this Council in matters before them. And as the Queen's Majesty by letters patent under the great seal has granted to Thomas Sherer the office of Examiner of all witnesses and other persons to be examined, to him and his sufficient deputy or deputies for life, with a fee of 12d. of every person examined either in this court or in commission from this Council, and 6d. for the copy of every such deposition and examination, with clause prohibiting any other person to exercise that office. Upon consideration of all which premises it is ordered by the Council that the said Thomas Sherer or his deputy or deputies named and allowed by this Council and subscribed to this order, shall examine all witnesses and other persons to be examined as parties or witnesses upon Interrogation or Issues in every matter coming in question in this court, both those brought to the Court as otherwise examined by commission in the country (causes of treason, murder and felony alone excepted). For all these witnesses brought here or to any other place the said Thomas Sherer and his deputies shall take for the writing of every examination 12d. and not above provided always that if he or they

[1] See below, p. 80 *seq.*, for a portion of these instructions. Sherer held the office until in 1598 Arthur Messenger gent. was appointed. Burton, *Hist. of Bewdley*, p. 37.

at any one's request travel abroad on horseback or foot then his charges to be borne by the party for whom he shall travel, at the rate of 2s. a day for him and his horse, or under if they agree. In all these cases those appointed shall be sworn for true and upright dealing according to the oath annexed. Provided also that if the deputy examiner appointed in any county within this commission shall be misliked upon any reasonable cause allowed by this Council then the Council shall appoint some indifferent person to be joined in commission with him to see that the said deputy examiner shall deal truly and uprightly. All witnesses dwelling within 20 miles of the place where this Council makes abode, and not unable to travel, are to be brought to this court and not examined by commission unless the Council give contrary order.

And for better accomplishment thereof it is further ordered that no attorney, clerk, or other minister of this court shall presume to write or do anything either in setting out commissions or otherwise contrary to the meaning of this order on pain of imprisonment, unless this Council shall specially command the contrary.

Hughe Cholmondeley, John Throckmorton, Charles Foxe.

The Examiners Oath.[1]

fo. 27.

You shall swear that you shall faithfully and truly write the sayings and depositions of all witnesses and other persons by you to be examined for any matter in question before this Council, according to the declaration of the same witness and other persons by you to be examined.

You shall not add, alter or diminish any part of the saying of the deposit but sincerely and discreetly to set forth the same according to the verity and truth.

And finally you shall do all things as to a faithful honest and upright examiner appertaineth, not disclosing the effect of any deposition before the publication thereof. So help you God and by the contents of this book.

13*th June*, 1570.

Minute of the letter sent by the Council to the Privy Council in answer to letters of 12th April last concerning the collection of sums of money in the shires of Wales. May it please your lordships to be advertised that on receipt of your letters of the 12th April last with the copy of a letter from your lordships enclosed to be sent, containing certain articles to be answered by the Commissioners for musters

[1] In full, modernized.

and others therewith concerned, we caused a like letter to be sent to the Sheriffs and Justices of the Peace of the 12 shires of Wales of whose answers now lately returned to us we have caused a brief note to be made by the Clerk of the Council and send the same to you herewith according to your command for further consideration. From Shrewsbury, 13th June, 1570.

Your honourable lords humbly at commandment,

Hughe Cholmondley, John Throckmorton, William Gerard, John Rastell, Charles Foxe, William Leighton.

A brief note of the effect of the several certificates.

6.[1]

Flint :—There has been no taxation, assessment, or collection of any money in that county since the last commission for musters saving for the furnishing of certain soldiers into Ireland for which there was an assessment of £40, in part levied ; on a counter order for the stay of the soldiers the money levied was restored saving £10 bestowed on the Captain towards his charge and diligence in mustering and training soldiers there.

1.

Cardigan, Glamorgan, Brecknock, Carmarthen, Pembroke :—No taxation, assessment, or collection within these counties since the last commission for musters.

2.

Radnor :—£44 was taxed upon the inhabitants for Armour and making the Armoury house, of which £41 was levied at sundry times and delivered to the hands of James Pryse Esq., one of the Commissioners ; the other £3 not yet levied. This was before the Commission for musters but there was no assessment or collection of any money of which account was required by the Articles.

3.

Anglesey :—The shire was charged of late to send 16 men into Ireland for which an assessment of £18 was made ; part was levied but because the soldiers did not go the money was put to the making of an Armoury house.

8.

Montgomery :—£74 was assessed for soldiers going to Ireland and wages for John Weller, keeper of the common arms of the shire. £71 1s. 8d. was levied of which £39 11s. 8d. was paid out—to the Captain £11 18s. 4d., for 'prest' money ; part to the Armourer for the Armoury house in repairs and other services for the Prince.[2] The remaining £31 [10s.] being still kept by Humphrey Williams, appointed to keep it.

[1] These numbers probably refer to some schedule not given in the Register.
[2] Presumably a copyist's error for 'premises.'

4.
Merioneth :— £29 was assessed taxed and levied to furnish soldiers for Ireland and for the wages of the keepers of the common armour of the shire. On the soldiers being stayed the Captain had £8 and the Armourer £9, £4 13s. 4d. being due to him ; the rest is forthcoming for further service.

5.
Carnarvon :—Agreement was made for an assessment of £100, for making an Armoury house and keeping the common armour of the shire, and other services, but no taxation or levy has yet been issued.

7.
Denbigh :—An assessment of £30 was made for furniture of soldiers for Ireland, dressing of the common armour and making a frame to keep it. £27 was levied of which £19 was disbursed for the dressing of the armour and making the frame and £7 to the captain although the soldiers were stayed.

At Shrewsbury, 13*th June*, 1570.

Whereas Edward Davies of Lincoln's Inn has heretofore brought ff. 27ᵛ–28.
to the Council letters from certain of the lords of the Privy Council to have the office of Attorney by letters of deputation made to him from John Price of Eglwysegle ; and whereas the said Edward Davies, admitted and allowed thereto by the Council has doubted of the charge and duty appertaining to the office, and for the most certainty has desired to have the substance of the notes and matters subsequent, set out by order of this Council. It is therefore ordered that it shall be lawful for him or his clerk attending at any time convenient hereafter in presence of the chief Clerk of the Council or some of his clerks, where search is to be made, to have liberty and recourse to every office, to take and receive a perfect note of all complaints and informations exhibited by any person for any misdemeanour, upon which complaint the plaintiff shall be enjoined to prosecute, and of all such complaints and informations to keep a perfect register so that he may inform the Council from time to time of those who do not prosecute their complaints, and thereupon to prosecute further process both against the plaintiff for a fine for not prosecuting as against the defendant for misdemeanour or contempt of process, and in all other causes where the defendant has dissolved process of allegiance. It shall further be lawful for him to take sight of all books of all such complaints and informations, both before and after publication be granted so that upon the hearing he may be the more ready to open such matters as concern Her Highness therein. It is further ordered that the Clerk of the Council

shall suffer the said Davies or his clerk at the end of every term and in every vacation to take a note of all bonds taken to the Queen's use, and then on every default to cause process to be made. Finally it is ordered that the said Edward Davies shall at all times speak on Her Majesty's behalf and to Her Highness' advantage every thing whatsoever as fully and freely as the said John Price himself could do. Provided always that the said Edward Davies or his clerk shall not give out any copy of any notes he shall receive of any complaint or information or bonds to any person but suffer the parties to take and receive the same from the special officers ; neither to will or do anything in his office which may prejudice the office of the Signet or Clerk of the Council for having their due or ordinary fees appertaining to the said office. Provided also that the said Edward Davies shall not have the benefit of the privilege of this court to take out any process freely except he first make special motion to the Council and have their assent. And nevertheless in all such causes where the privilege is granted, it is ordered that if the party and the said Edward Davies be ordered to have costs then the due fees of all processes, orders and endorsements which other common persons pay who take out their process without any such privilege shall be assessed by this Council to be paid by the defendants to the Clerk of the Council and Signet over and above the costs of the attorney to the use of those with right thereto.

At Shrewsbury, 15*th June*, 1570.

Porter's Lodge. ff. 28v–29.

Order for the Porters' Lodge according to the Queen's Majesty's instructions.[1]

1. That every person committed to the charge of the porter shall be detained there as a prisoner according to the quality of the offence, not to depart out of the circuit of the porters' lodge without the special licence of this Council, the porter to receive from them fees hereafter laid down :—

2. For treason murder and felony to be detained in irons during the Council's pleasure, and not to depart out of the circuit of the porter's lodge.

3. All persons committed for contempt or any misdemeanour where

[1] These orders are printed in Clive's *Ludlow*, pp. 346–8, in very similar form as part of the Instructions issued in 1574. It is obvious however that they were promulgated in 1570 if not earlier. In 1574 (*ibid.* 330) the Council was empowered to ' have due regard that the porter attending the same Council use no exaction of the subjects committed to his charge, by any colourable ways or means contrary to the laws, but that such persons as deserve punishment remain as prisoners during such time as their case requireth.' Gerard in 1575 lamented the slack supervision of the porter's lodge which ' in Bishop Rowland's time was a such strait place of punishment as the common people termed it a hell : and now is grown to no terror of punishment of the body but a gulf through fees to suck up a mean man.' Skeel, 109.

the Queen is to have a fine are likewise to be detained without sufferance to go abroad save by the special licence of the Council; all these persons are to wear irons unless they fine for the same such sums as follow.

4. The porter is to take as the ordinary fee of every person committed for a single contempt 2s. 6d. and not above save for his diet.

5. Of every person of the degree of Esquire or above, committed for any offence for which he is to wear irons, for his committal 2s. 6d. and for the discharge of his irons if he seek it 2s. 6d.; and of every person committed and under the degree of Esquire, 2s. 6d. for his fee and 12d. for discharge of his irons if he sue for it, over and above his diet.

6. Further the porter shall continually have in readiness for the entertainment of prisoners 2 tables for diet, kept in this sort:— The best and first table at 8d. the meal, the second at 6d. the meal, so furnished with meat and drink that the parties may according to their payment have therein competently and conveniently. And the party committed to choose at the time of his committal at which of those tables he will remain; and if he fail to make payment of his fees of committal and for his diet at the end of every week the porter to take bonds for their due payment.

7. It is further ordered that if any person be committed to remain in ward until he pay the Queen's Majesty any sum in fine or any person any sum ordered by the Council or for the failure to accomplish any order taken by the Council, and shall not pay the fine or other sum or discharge the order within one month of his committal, then the porter at the end of the month is to inform the Council thereof so that order may be taken thereon, that the party be removed to Wigmore or such other place as the Council think fit.

8. When any person is committed to ward to remain there until he shall pay fine or other debt to the Queen or any sum of money for costs or other cause to a party he is to be detained as a prisoner until the party's attorney and the clerk of the fines by a note subscribed with their names upon the copy of submission shall acknowledge the receipt of the same sum wherein he is chargeable both to the Queen and to the party.

Orders taken by the Council, 15th June, 1570 for the accomplishment of Her Highness' pleasure and commandment expressed in Her Majesty's Instructions signed with Her hand, given to the Council the 27th May 1570.[1] ff. 29v–30.

1. Whereas her Majesty requires a reasonable number of honest Order of

[1] Similar to though not identical with the instructions of 1574 printed by Clive, *Ludlow*, 340, 330–1, 343.

the Court in 1570. discreet and expert men to be attorneys in this Court, the Council orders that henceforth on the voidance of any attorney's office, no one else shall be admitted in his place until there are under 18. And although there are at present 23 attorneys, yet in respect of their honest behaviour the Council is content that they continue their service unless evil behaviour or other consideration give occasion for them to be displaced.

Nevertheless the number is not to be increased save to keep up the 18.

2. Every attorney shall have one clerk and not above for whose good behaviour he shall answer.

3. The Clerk of the Council shall make choice of reasonable number of other apt clerks to serve the court and office, of such honest behaviour and quality that they may do work for the Queen and for the subjects in fair and legible writing with despatch, charging only the fee set forth in this order. There shall be no more of them than the Council shall think meet.

4. The Clerk of the Council shall take such care for the records of the court and for the delivery of copies as is appointed by the said instructions the tenor whereof is in these words. And because it has been reported that the Records of that court are not so orderly kept but by delivery of the same to the Counsellors at the bar, attorneys and clerks from the court and office, they are many times embezzled erased or falsified, it is thought meet and convenient that the Records be kept in sure and safe manner by the officer to whom it appertains whereby the same may be in readiness at all times as occasion requires. Nevertheless to avoid the charges that may grow to the subject by taking copies of the records in any matter other than needful, it may be permitted for the cases of those not able to sue from copies and in cases of small moment that the Counsellors at the bar, attorneys and clerks in open court or the office and not elsewhere may have access to the same not carrying them out of the court or the office from the charge of him to whom it belongs. For that purpose no books are to be given by the officer but only the copies, on pain of imprisonment or displacing from the charge ; and that the Council shall order damages to any person who shall sustain any harm by reason of the loss or embezzlement of any books.

5. The Clerk Examiner shall observe the order touching the depositions of witnesses prescribed to him by special order.

6. All Counsellors at the bar, attorneys' clerks and other ministers, shall have due regard to the observation thereof doing their duty and not taking any fees but those in the schedule annexed.

7. Whereas her Majesty has given special order in the same instructions touching the admittance of Counsellors at the Bar the effect of which follows—And further the said Lord President

and Council shall not admit any person to plead at the bar or subscribe any bill of pleading as a Counsellor learned in the law unless he be first known as an 'utter' barrister in the Inns of Court. And if any Counsellor, attorney or clerk attending on the Council is known to be of evil name or a procurer of suits or vexations, he shall be discharged. Provided nevertheless that if at present there be some few pleaders there not 'utter' barristers but of good experience and honest behaviour, they may be suffered to continue by special allowance of the Council, though none shall be admitted hereafter but 'utter' barristers. The Council do therefore by this order discharge from the bar all such persons as are not allowed by these instructions, howbeit they are content to use consideration of special allowance for continuance of those found meet therefor, upon suit to the Vice-president and Council.

Fees rated by the Council for certain officers attending the Council ff. 30v–31.
13th June 1570.

The Clerk of the Council.

For the making of every bill or information	8*d.*
For every endorsement upon the bill or information exhibited being the warrant for the process	2*d.*
Except it be for commission by consent or placard; then is the fee	4*d.*
For every warrant for process	2*d.*
For every original order	4*d.*
For the copy of the order with continuance	6*d.*
For the final order	8*d.*
For every bond and the warrant thereof	12*d.*
For the warrant of attorney for every person	2*d.*
For the recording appearance for every person	2*d.*
For the copy of evidence and for exemplification according to the quantity of the business	4*d.*
For the search of every record within the year	4*d.*
And after the year a grote for every year	4*d.*
For every witness sworn before the Council	4*d.*
For the registering of every final order of the party for whom the order passes	4*d.*
And if it passes by consent, of either of them 2*d.*	4*d.*

Clerk Examiner's Office.

The examination of every witness and other person examined	12*d.*
For the copy of every deposition and examination	6*d.*

Attorneys' and other clerks.

In every matter the attorney's fees, one with another for one term	2*s.*
The making of the bill and every other pleading	8*d.*

The clerk appointed to write any of the copies aforesaid to pass under test, of the party requiring the same . . 1*d.*

Counsellor's Fees.

For the penning of every bill drawn by another and subscribing the same . . . . . 3*s.* 4*d.*

For every Counsellor to be of Counsel, for his entertainment for one term, 5*s.* and no more . . . 5*s.*

Secretary's and Clerks of the Signets' Fees.

For every letter at the suit of party . . . . 12*d.*

For every placard . . . . . 2*s.*

For every exemplification to the Secretary for the seal . 6*s.* 8*d.*[1]

Solicitor's Fees.

For the making of every bill or information for treason, murder and felony . . . . . 12*d.*

For every endorsement of the same bill and information 2*d.*

For recording the appearance of every person in the said causes . . . . . 2*d.*

For writing and drawing the answer by way of examination of every person suspected of treason, murder or felony 8*d.*

For the examination of every witness for declaration of any person for treason, murder or felony . . . 12*d.*

For the copies of the same examinations in the said causes . 4*d.*

For the search thereof the record being found . . 4*d.*

For drawing every original for discharge or bailment of every person appearing to be examined for appearance again or otherwise in the said causes . . . . . 4*d.*

For the copies of the same orders without appearance again in this court . . . . . 8*d.*

For copies for appearance again in this court . . 6*d.*

For making every obligation to the Queen's use in the causes aforesaid . . . . . 8*d.*

For copies or minutes of each of the same obligations . . 4*d.*

For making the informations for forfeiture of any of the said obligations taken or to be taken to the Queen's use for or concerning any person accused of any of the said offences at the suit of any party . . . . . 12*d.*

The Porters Fees.[2]

At Shrewsbury, 4th September, 1570.

fo. 31v. Whereas William Gerard Esq. one of this Council and Chief Justice of the counties of Brecknock, Glamorgan and Radnor has determined

[1] This is given at half the amount in Clive, *Ludlow*, 345.
[2] Identical with the list already given above.

to keep the Great Sessions in each of the said counties viz :—in Glamorgan 11th inst. and so consequently to the other shires as heretofore he has been accustomed. Forasmuch as the said William Gerard has with a fall lately so sorely bruised his leg so that he cannot conveniently repair to every of the said counties in his own person to keep the sessions : it is ordered that it shall be lawful to the said William Gerard to nominate and appoint in his room any of the 3 persons undernamed to be his deputy to serve and keep the said sessions. And this order shall be to him a sufficient warrant to appoint any of those 3 persons.

Richard Pates, James Boyle, John Tytley Esqs.[1]

Information presented to the Council on Her Highness' behalf by Mathew Thomas of Ystrad (Iscraid) in the county of Glamorgan against Thomas Lewes Esq.[2] *Sheriff of the said county.*

ff. 34–40. Glamorgan : touching the election of two Coroners. October 1570.

That whereas on lawful considerations writs from the Court of Chancery were delivered to the defendant for the election of two Coroners in that County, for which purpose the defendant gave public admonition to all the gentry and inhabitants of the said county to assemble at Llandaff on the 2nd of this October being the County day held there : at which time the gentlemen and inhabitants appeared and by the most voices of them elected Thomas Turberville and John ap Henry, the meetest both for government and dwelling to be coroners of the county. But the defendant, misliking the election—albeit the Coroners were lawfully elected on summons given by force of the writs—not only refused to swear and admit them to the office but also, to overthrow the choice made, has summoned the inhabitants to assemble again at Llandaff at the next county day to proceed to a new election though Llandaff is far out of the way for most of the inhabitants ; whereby and because of the faction in that county much inconvenience is like to ensue about the election at the assembly. For avoiding whereof and as there are already coroners elected—the meetest and most indifferent gentlemen therefor in the county—and considering that the defendant has given new notice in order to place whom he will in those offices, may it please your lordships in consideration of this and of the cause declared in the annexed certificate, to direct the Queen's letters and

[1] No copies of signatures are appended. Cf. below p. 97 for a similar licence to Gerard just two years later.

[2] See Introd. pp. 37–41. There were apparently two persons of some importance of this name in Glamorgan at this time, for a Thomas Lewis signed the petition, given below, against the Sheriff. The name occurs on a Commission for the repression of piracy (*A.P.C.* viii, 285, 1565) and on an Inquisition after the death of Sir Edward Stradling in 1580. G. T. Clark, *Cartae et alia munimenta de Glamorgan*, iv, 548.

yours to the defendant ordering him either to call the coroners elected before him at the next county and swear and admit them to the said room and office, or else to appear to answer, commanding him further on great pain not to proceed to any other election of coroners until your lordships' further minds are known ; and to give express warning to the inhabitants not to assemble at the next county for that end, for God's love.

Glamorgan Coroners.

May it please your lordships to understand that Mr. Gerrarde, Justice of Assize for the county of Glamorgan, finding the county annoyed, the peace unserved and justice hindered by the unworthiness of John Llewellyn and Rees Jones the present coroners, addressed his letters to the Lord Keeper for their removal and thereby obtained from Chancery writs directed to Thomas Lewes now sheriff here to cause other coroners to be chosen. Whereupon at the county held at Llandaff 2nd October the gentlemen of worship of this county and others the freeholders (in order to have persons chosen meet for their government and dwelling not both in one end of the shire as the others did whereby the Queen was worse served and the inhabitants of the west parts more travelled) repaired to the 'county.' Which seen by the Sheriff and that the better opinion was like to prevail against the worse, confessing he had received the writs he in open county made proclamation thereof and declared he would receive no election until the next county, alleging that the county had no knowledge of the writs until then—which as it appeared not so by the great appearance of freeholders so it can be proved that at the Great Sessions begun 3 weeks before the last county, the gentlemen of worship and others of the best behaviour had at their meeting much talk both of the change of coroners as of who should be most meet to be chosen in their places. Finally it is not denied by Mr. Sheriff that public admonition was made in the churches near which most affection was borne the Sheriff and his father and where their chief possessions lie, that all inhabitants from 20 years of age upwards should appear at the last county, which notwithstanding, he, seeing the number of his friends too few to carry the election, utterly refused to proceed. Whereunto the freeholders there answered that as the law did not warrant him, having the writs and proclamation having been made and considering that there had never been so substantial an assembly for freeholders at any one county before in this shire since it was made shire ground, they thought he should not disappoint the election and, winter growing, to hold the county at the extreme end of the shire, seeing that repair, attendance and return, besides the charges, would amount to 5 days for the inhabitants of the other part of the shire. They therefore by one consent proceeded to an election according to the writs, first offering to those

with the Sheriff the choice of whom they would reasonably name to be coroner in the easterly part of the shire if they would agree that the majority of voices present should choose another for the westerly part ; which was refused. Whereupon the freeholders chose two gentlemen of good credit named Thomas Turbervyle and John ap Henry without contradiction of any one (the best part of 1000 freeholders being present) whose ability and knowledge we are sure neither the Sheriff nor any one else can impeach. The commons presented their names to the Sheriff offering to present him in writing a list of all those who assented thereto ; which he refused. He forthwith, disappointing all actions and suits depending in the courts, adjourned it, intending at the next county to overthrow the choice made and to place whom he likes in the office. For redress of this and to prevent the county being overruled by self-will—which as your lordships know well has this number of years been the occasion of great disorder in our shire with great outrages—our suit is that your lordships may command the Sheriff to keep the next county at Bridgend, a place more indifferent for the inhabitants of the whole shire to meet than Llandaff which is 42 miles from the west part of the shire ; also that he forthwith swear Thomas Turbervyle and John ap Henry ap Hoell as Coroners or else appear personally before your lordships at a short day by your lordships limited, commanding him straightly not to proceed to choose any other Coroners till your lordships further pleasure be declared. 5th October 1570.

Thomas Stradling, Edward Manxell, Walter Vaughan, Leyson Price, David Hopkins, Christopher Vaughan, Richard Morgan, Ryce Fleming, Thomas Howell, Philipp Cradok, Henry Franklen, Mylse Mathew, Roger Bowen, Thomas Lewes, William Gybbon, John Andrew, William Yevor.

At Ludlow, 20th October, 1570.

Upon sight of this answer and certificate annexed it is ordered that a letter be directed to the defendant commanding him at the next county court held in the county of Glamorgan to call the said Thomas Turbervyle and John ap Henry gentlemen elected coroners before him and swear and admit them to the said offices : or else to appear the 3rd November next to answer on pain of £100, commanding him further on pain of £200 to stay proceeding to any other election at the next or any other county court until the further mind of the Council is signified to him. And also to give warning to the inhabitants of that county not to assemble for that end in the meantime.[1]

[1] The names of the signatories are not given.

[*Letter from the Lord Keeper.*]

To my very friends Sir Hugh Cholmondley, Sir John Throckmorton kts. and others of the Council.

After my very hearty commendations. About the beginning of July last I received letters from Mr. Gerrard Justice of Assize in the county of Glamorgan declaring the great insufficiency of the two Coroners there and desiring writs to be sent to the Sheriff to elect new ones. Which writs being made and sent to the Sheriff he has at the last county day (as I have been informed by letters from certain Justices of the Peace and others there) proceeded to the election of two new Coroners. Which being chosen, as the latter letter purports, the Sheriff it is said refuses to accept the election intending it is supposed both to hold the next county day in some unaccustomed place and to choose other Coroners if he may. Lest this matter should grow to some disorder and faction I have thought it good to advertise you thereof in time that you may take speedy order to prevent the same. And because it may be better for your power to order this matter according to your discretion upon examination if it be thought meet, I have also sent you a writ of *Supersedeas* to discharge the writs if there be just cause, or otherwise to stay the same in your hands. For further intelligence I send you enclosed herewith a copy of both the letters sent me about this matter. From Windsor, 20th October 1570.

[*The enclosed letters.*]

(i) My duty to your lordship. Within the county of Glamorgan, one of the three counties appointed to my circuit, there are two Coroners of such disorder and so unfit for the office that I thought it my duty to be the medium to your lordship to grant a writ to elect new ones. The causes for removal are these :—They are both serving men convicted before the Council in the Marches of diverse affrays and under bond to keep the peace. Between them there is such malice that quite lately one of them had like to have slain the other if rescue had not come. I could not receive any presentment of divers persons murdered and slain this year, nor could I perceive that any view of the bodies was taken. Further evil report is generally made of them by all persons of best calling in the county. Whereof, beseeching your lordship to have what consideration seems requisite I humbly take my leave. Brecknock, 29th June 1570.

William Gerrarde.

(ii) Where after declaration made to your lordship by William Gerrard Esq. of the insufficiency of John Llewellyn and Rees Johnes to be Coroners your lordship sent two writs from the Court of Chancery

to Thomas Lewes Esq. now Sheriff of the county, for the election of two others who on Monday last in open court proclaimed the said writs, and being desirous either to continue the old Coroners in office or to choose like ones in their place, perceiving the greatest number of worshipful and substantial freeholders there for the election that appeared at any one county since the same became shire ground, the Sheriff would needs have deferred the election till the next county following. To this the freeholders present would in no wise consent but proceeded to elect, and in open and full county Thomas Turbervyle and John ap Henry were chosen Coroners, not one man repugning thereat. But the Sheriff would neither receive their election nor give either of them their oath, but, as appears by his proclamation, intends to keep the next county at Llandaff where he inhabits and about which town his friends and tenants dwell, being in the extreme east part of the shire and 42 miles from the western part. Whereby we have just cause to think that he by the length of the way and the shortness of the time, hopes to find a court empty of western freeholders and then by a new choice to disappoint the election already duly made. For the prevention of this and to put the country in hope that they shall be preserved in the ancient liberties granted by the laws of the realm, our suit is that it may please your lordship to command the Sheriff to keep the next county at Bridgend, nearer the middle of the shire, and also to swear those already chosen to be Coroners according to the effect of the Queen's writs and not to proceed any further in electing any others until he receives from your lordship further command. Beseeching your lordship to have speedy consideration . . . 3rd October 1570.[1]

At Ludlow, 25th October, 1570.

Whereas on information presented to the Council of disorder like to grow in the county of Glamorgan about the election of two Coroners the Queen's letters were sent to the Sheriff commanding him at the next county court to swear and admit the 2 new elected coroners, or else to appear to answer therefor the 3rd November, and not to proceed to any further election until the further mind of the Council was signified to him, and to warn the inhabitants not to assemble for any such election. Upon perusal of certain letters annexed sent to the Council from the Lord Keeper of the Great Seal on the matter it is now ordered that letters mentioning the premises be directed to the Sheriff, and his deputy in his absence, commanding him to accomplish the tenor of the same former letters and to have special regard

[1] No names are appended, but it would seem almost certainly to come from those Justices of the Peace and others who wrote to the Council on the 5th. It is worth noting that they wrote first to the Lord Keeper.

that they neither cause nor suffer any assembly of the said inhabitants to be had for any new election of coroners as they will answer to the contrary at their peril.

Charles Foxe.

[*Letter to the Council.*]

Notwithstanding the several straight commandments from your lordships Thomas Lewes Esq. refused to address the warrant to call Thomas Turbervyle and John ap Henry before him or administer the oath on their appearance at the last county day by request of the freeholders of the county—to the manifest contempt of your lordships commands, the dangerous example of others to disobey, the great injury of the whole country and the manifest proof that he is determined to perform his promise which he confesses he made to overthrow the election of the coroners duly made, being sure (as they report) that if the worst happen it is but a money matter and the paying of a fine to which it is also affirmed a number have promised to contribute with him whatsoever the penalty be. That this is his purpose is apparent from the fact that it can be proved that William Herbert of the High Street in Cardiff as captain of all the inhabitants in or about the same town, as well artificers and journeymen as others being summoned or fetched out of their houses by the serjeants of the town armed in warlike manner (your lordships commands notwithstanding) came to the county held at Llandaff and there after long consultation between the Sheriff and the said William Herbert he with his company came to the county and would have had a new election made of the Sheriff's two brothers-in-law had not the other freeholders there present about other business openly gainsaid it. We are moved to ask for redress not for ourselves but by request of the whole shire loath to yield again to the yoke of servitude wherewith they have long been oppressed, on whose behalf we beseech your speedy help. 31st October.

Thomas Stradling, Edward Manxell, Robert Gamage,[1] Walter Vaughan, Leyson Price.

At Ludlow, 6th November, 1570.

Whereas one William Howell ap Rice of the parish of Llanfabon

[1] Robert Gamage, eldest son of Sir Thomas Gamage of Coity Castle, close to Bridgend, was the father-in-law of the recalcitrant Sheriff. His name does not appear in the list of signatories of the earlier letter to the Council. His daughter Margaret married Thomas Lewis ' of Van ' as her second husband. On the death of Lewis, in or after 1583, she married no other than a ' Captain Herbert of Cardiff,' presumably the ally of Lewes mentioned in the text. See for the Gamages, Nicholas, *County Families of Wales*, 1872, ii, 567.

in the county of Glamorgan appeared this day before the Council to depose that Thomas Lewes Esq., summoned to appear before the Council on the 3rd inst. by process served upon him at the suit of one Mathew Thomas, was so sick as not to be able to travel without danger of his life. Forasmuch as the said William Howell, examined when and where he last saw the same Thomas Lewes, confesses that he saw him on Thursday last, the 2nd inst. at Llandaff and that the Sheriff had ridden from Llandaff to the house of Robert Gamage Esq. his father-in-law, and then sick, and the same night returned ; and that he had not seen him since. Thereby the Council cannot think that the said William has or can have any assured knowledge that the said Thomas Lewes is so sick as not to be able to travel without peril of life, but conceive that he is procured to make the same oath in excuse of the appearance of the said Thomas Lewes, which if true the Council think should be severely punished. Therefore, and as the matter against the said Thomas Lewes is of great importance for the state of the whole country and his appearance is requisite to take order for the prevention of possible evil, it is ordered that a letter be directed to him be delivered to one William Whithedd gent. one of the messengers of the Council, commanding him to appear personally in company of the said messenger forthwith and on his appearance the matter wherein the said William Howell has deposed, remaining in writing with the Council, and the oath he offered to take shall be examined and such punishment given as shall be thought requisite.

Hughe Cholmondley, William Gerrard, John Rastell.

At Ludlow, 18th November, 1570.

Whereas the Council despatched William Whithedd one of the messengers with Her Majesty's letters to Thomas Lewes to command his immediate appearance before the Council in the company of the said Whithedd : and notwithstanding that the very day before Whithedd's repair the said Thomas Lewes was continually riding about and in perfect health as the Council is credibly informed, yet the day on which Whithedd came to his house in Llandaff, the Sheriff having by some means knowledge thereof, at once feigned himself sick in bed as appears by his letters sent to the Council by the same messenger. And forasmuch also as William Gerrard Esq. has affirmed to the Council that the said Thomas Lewes, William Mathewe Esq. and diverse other Justices of the Peace there requested him at his last keeping of the Great Sessions there to be a mean for the removal of the old Coroners and the election of new ones, and as because of sundry apparent disorders defaults and evil behaviour which he then and at previous assizes had found in the old coroners,

he wrote to the Lord Keeper of the Great Seal for a writ to choose new coroners. And whereas Sir Nicholas Bacon kt. on advertisement given him of the disorderly proceeding of the said Thomas Lewes at the county, has written to the Council with copies of the letters sent to him—requesting the Council to consider the matter justly, sending also a writ of *Supersedeas*. And as Rees Jones one of the old Coroners has now made suit to the Council that before displacement some known default in him may appear by trial, and for that has procured to the Council divers letters from sundry of the Privy Council, and that the Council on deliberate and advised consideration of the premises have thought requisite that the defaults of John Llewellyn and Rees Jones the old Coroners should be certified in articles to the Council by the Justices of the Peace in that county, or as many of them as require their displacement, so that the Council on trial of the truth may proceed further, in the meantime the old coroners continuing in office : the Council thinks it expedient meantime to try out the truth of the manner of the late election of Thomas Turbervyle and John Penry. Therefore it is ordered that letters be directed to all the Justices of the Peace of the county commanding all those who think the old Coroners unfit for that office and therefore desire new ones to be chosen, to cause to be written in articles the defaults, defects, abuses and disorders committed by the said John Llewellyn and Rees Jones since they were elected Coroners, subscribing thereto their names and the names of all the other gentlemen of good reputation who affirm the same, sending their certificate to the Council by the 12th January next. Further all those Justices who refuse to subscribe those articles are to certify the Council in several certificates subscribed with their names whether the said Rees Jones and John Llewellyn are reputed in the shire to be quarrellers brawlers and fighters and whether one fought with the other in May or June last, and whether they think in their conscience that the said coroners are fit persons for that office or not. It is further ordered that letters be directed to the said Thomas Lewes, reciting his double contempt of the two former processes, letting him know that the Council allows not his excuse and therefore command him on pain of being reputed a rebel to appear before the Council the 12th January next to answer both the information against him and his contempt, commanding him further on pain of fine of £500, at any county held by him before the Council takes further order in the matter, neither to proceed to elect new coroners nor swear in those already elected. Therefore in the meantime Rees Jones and John Llewellen shall occupy the office of Coroner.

Hughe Cholmondley, William Gerrard, John Rastell, William Leighton.

[*From the Queen; Latin.*]

To Sir Henry Sidney Lord President, Sir Hugh Cholmondley Vice-President, and the others of the Council. Immediately on receipt of this writ you are to cause the Sheriffs of all the counties within your commission to publish the proclamation annexed hereto, and after reading it to affix it to posts and other places in public places that all men may see it easily. Westminster, 15th November, 1570.

At Ludlow, 25th November, 1570.

Upon receipt of the writ and proclamation annexed, it is ordered by the Council that several letters with the number of proclamations undermentioned enclosed shall be sent to the Sheriffs of the counties mentioned commanding them forthwith on receipt in all places convenient in their offices, both in liberties and without on behalf of our Sovereign Lady the Queen solemnly and publicly to cause the proclamation to be read and afterwards fixed in several distinct and public places whereby the Queen's subjects may plainly understand the same as they will answer for the contrary.

Carmarthen, Glamorgan, Denbigh—3 copies.

Pembroke, Cardigan, Radnor, Brecknock, Montgomery, Flint, Anglesey, Merioneth, Carnarvon—2 copies.

[*The Proclamation.*][1]

By the Queen.

Proclamation against maintainers of seditious persons and of traitorous books and writings.

Given at Hampton Court 13th Nov. 1570.

To the Queen's Majesty's Council in the Marches of Wales : fo. 40v.

Petition of Thomas Sherer, Clerk of the Council, by deputation from Charles Foxe Esq. Your orator has charge of divers Records of the Council, and as Clerk Examiner by letters patent of the examinations of witnesses. For these records there is an office in the Castle of Ludlow which place being compassed with walls of stone hath much impaired the Records being in paper by reason of the moistness of the stones. Also the room is too small which by continuance of placing records there will cause disorder ; further the building is unfinished. May it please your lordships to arrange for some further

[1] Printed in Dyson's *Elizabethan Proclamations*.

building and repairs in order that your petitioner may more properly do his work.

At Ludlow, 1st December, 1570.

As it is requisite to have an apt and convenient place in the castle of Ludlow for the safe keeping of the Records of this Court, the office mentioned above is to be edified, repaired and builded as the petitioner shall think fit. Also allowance is to be made from the Fines received by the Council to maintain the office in repair : This order (or a copy) together with a specification of the actual work to be done shall be sufficient authorization for the Clerk of the Fines to grant the money from time to time.[1]

Hughe Cholmondeley, J. Rastell, C. Fox.

fo. 41–42v

The names of all the Sheriffs within the Counties of Carmarthen, Montgomery, Cardigan, Flint, Glamorgan, Brecknock, Radnor that were made and have borne office within the same since the first year of the Reign of our Sovereign Lady Queen Elizabeth and unto the 13th year of her Grace's reign.[2]

At Ludlow, 14th March, 1571.

fo. 43. Merioneth. Election of Knights of the shire for Parliament.

Whereas the Council is informed that there is great labour and suit in Merionethshire concerning the next election of Knights of the shire for Parliament, and danger that by outward signs and tokens of brag a proper election will be prevented. The Council had thought wise to commission certain people to be present and take note of every one who should infringe the laws against rioting and carrying of arms in assemblies and thereupon to report to the Council. But on consideration of the authority and charge of the Sheriff and Justices of the Peace, the not doing of their duties not being had in suspicion before some trial thereof, it is decided to trust to them. Therefore letters are to be sent out rehearsing this and commanding the Sheriff to make proclamation at the time of the election against any breach of

[1] In a list of the repairs and additions made to Ludlow Castle by Sir Henry Sydney mention is made of 'a court house and 2 offices underneath for keeping the records' (Skeel, 184), to which building these entries presumably relate though Sydney cannot claim the credit for its initiation. Powel in his edition of Lloyd's *Historie of Cambria*, 1584 (repr. 1811), p. 296, says Sydney built 'large chambers for the keeping of the records.' Collins', *Sydney Papers*, 90, records Sydney's care for the Irish records. It was a frequent complaint in the time of his successor that the records of the Court were ill-kept (Skeel, 117, 119).

[2] The lists are identical with those printed in *Lists and Indexes*, ix, 1898, 245 *seq.* from the Record Office returns save that in Brecknock for the 2nd, 3rd and 4th years the names are given in inverse order from those in the R.O. lists, and so for Radnor in the 3rd and 4th years.

the peace and especially against the carrying of weapons on pain of the penalties provided by statute. If any disturbance should arise the Sheriff and Justices are to use correction therein as the law has appointed and after being thus warned they will be held responsible for any disorder.[1]

The Attorney's Oath.[2]

You shall swear that faithfully and truly you shall execute your office of Attorney of this court whereunto you are now called. You shall be obedient to all orders of the court in that to you belongs. You shall not falsify, embezzle, unlawfully erase or alter any of the records of the court, or [to] be privy and consenting thereunto. But in all things you shall honestly and uprightly use yourself as to your duty in this service appertaineth. So help you God and by the contents of that book. fo. 33.

At Ludlow, 22nd March, 1571.

Whereas Michel Sewell gent. one of the Attorneys of this court is departed, whereby his place is become void ; forasmuch as Evan Meredyth one of the Clerks of this court, by his long continuance in that calling has so well used himself that he deserves to be Attorney instead of Sewell. Therefore and as the Council conceive the said Evan Meredyth able and meet for that office, it is ordered that he shall be admitted thereunto and for his dealing therein he shall take his corporal oath in the Court.

[*Letter from the Privy Council.*][3]

To our loving friends the Vice-President and Council in the Marches of Wales. We send you a copy of a letter sent from us by the Queen's command to the Sheriffs and Justices of the various shires for the searching out and punishment of rogues, vagabonds and masterless men. We pray you to send copies of the letter to the Sheriffs and Justices of the shires within your commission enjoining its strict fulfilment. Hampton Court, 2nd August 1571. Your loving friends, fo. 43.

T. Sussex, R. Leycester, F. Clynton, W. Howarde, W. Burghley, F. Knolles, T. Smyth.

[1] The names of those present at this meeting are not given. The Parliament met 2nd April 1571.

[2] In full, modernized.

[3] There is no record in the Privy Council Register of the order or despatch of these letters, although the Privy Council met on this date.

[*General letter from the Privy Council.*]

fo. 44. In consequence of the benefit from the diligent execution last year of the laws against vagabonds and sturdy beggars and the disorders of the last winter resultant on less strict carrying out of these laws, you, with the Justices of the Peace, are again ordered to be more diligent within the next three months of August, September and October. On the 20th August, strict watch is to be kept, as well throughout the shires as in places exempt, from 7 p.m. to 3 o'clock next afternoon by Constables and two, three or more of the most substantial parishioners. All rogues, vagabonds and masterless men are to be arrested and punished by stocking and sharp and severe whipping according to the laws, afterwards sending them on, from Constable to Constable, until they reach their native place or last abode within three years according to the statute.[1] Similarly action shall be taken on the 12th September and October and then each 15 or 20 days, not omitting to punish any vagabond found between the specified times. From time to time you shall notify the Privy Council of your action in the matter, not failing in the execution of the goodly and zealous pleasure of the Queen as you shall answer for it. Hampton Court, 30th July 1571. Your loving friends

T. Sussex, R. Lecester, F. Clynton, W. Howarde, W. Burghley, F. Knoles, T. Smyth.

fo. 44v. *At Hereford, 7th August,* 1571.

In consequence of the receipt of the letters from the Privy Council it is ordered that letters be sent to the Sheriffs and Justices of the Peace of the shires mentioned below, with a copy of the letter from the Privy Council, commanding them to carry out its instructions, all excuses set aside, in accordance with the royal will, and also from time to time to notify the Council as to its working.

Shires—Hereford, Salop, Worcester, Gloucester, Monmouth, and the twelve shires of Wales.

John [Scory, Bishop of] Hereford, Rychard Seborne, Richard Pates.

ff. 45–45v. By the Queen, Proclamation for the execution of the laws made against unlawful retainers.[2]

[1] Stat. 5 Eliz. c. 3, continuing for this matter Stats. 3 and 4 Edward VI, c. 16 and 22 Henry VIII, c. 12. The despatch of this letter at this time is of interest, for a Bill was introduced into Parliament in this year to deal with vagabonds and beggars. Knolles, who signed this letter, spoke in favour of stern regulations, but no bill followed (D'Ewes, *Journals*, 165: Leonard, *Early Hist. of Poor Relief*, 69). It looks as if the Privy Council, disappointed of its bill, took this method of achieving its end. The receipt of the letter with the covering letter of the local Council is recorded in the Hereford MSS. (*Hist. MSS. Comm.*, Rep. XIII, App. IV, 329: *Ibid.*, xv, pt. x, 51 for Shrewsbury).

[2] Only half the Proclamation is given. It was issued 3 Jan. 1572 and is printed in Dyson's *Elizabethan Proclamations*, ff. 149–50.

At Ludlow, 11th January, 1572.

On receipt of the Queen's writ and diverse and sundry proclamations for the execution of the laws against unlawful retainers, it is ordered that letters be directed to the Sheriffs of the following counties, together with a certain number of copies of the proclamation. The Sheriffs are to cause the proclamation to be read within their Bailiwicks as well within liberties as without, solemnly and publicly and are also to see that copies of it are affixed upon tables and posts within their district, on pain of peril that shall fall thereof. fo. 48.

List of counties with the number of copies after each :—

Pembroke . . . 3	Brecknock . . 2	Carnarvon . . 2
Haverford West . 2	Radnor . . 2	Merioneth . . 1
Carmarthen . . 3	Montgomery . 2	Anglesey . . 2
Cardigan . . . 2	Denbigh . . 3	
Glamorgan . . 3	Flint . . . 2	

W. Gerrard, C. Foxe.

At Bridgenorth, 8th September, 1572.

As the number of Attorneys appointed to attend the Council has grown to more than eighteen, to the great hindrance of some of those of longest standing, and as eighteen is a large enough number, so no more than eighteen Attorneys are to be allowed to attend the Court. But in order not to undo those over the prescribed number at present acting as Attorneys, they shall all continue until death, resignation or displacement shall reduce the number to eighteen, and no further persons shall be received as Attorneys until the number falls below eighteen, any order heretofore taken to the contrary notwithstanding.[1] fo. 49.

At Bridgenorth, 11th September, 1572.

Whereas William Gerard Esq., one of the Council and Chief Justice of the counties of Brecknock, Glamorgan and Radnor, has appointed her Majesty's Great Sessions for these counties, to begin 15th inst ; forasmuch as he is now and has been for a long while so sick as not to be able to travel into those counties himself in person for the execution of Justice, therefore the Council hereby authorises William Gerrard to appoint both or either of the persons named below, being learned in the laws of the realm, to hold the Sessions in his place. This order is to be sufficient authority for the appointment. fo. 48v.

Names of Deputies—Edmond Walter and James Boyle, Esqs.[2]

[1] No names are appended. See above, p. 82, for other orders on the same subject.

[2] Cf. p. 85. The names of the signatories to the order are omitted.

At Ludlow, 17th November, 1572.

fo. 50. Tracks. Whereas the Council for the avoidance of perjury in regard to following the tracks of stolen cattle, laid down that whole Hundreds and Commotes and not parishes separately should be chargeable therewith. And although this regulation has been of great service yet it has been of late certified to the Council by the Justices of the Peace and certain of the inhabitants and freeholders of Glamorgan and Denbigh, and affirmed as true by William Gerard Esq., Chief Justice of Glamorgan, who went there to enquire into the matter, that because of the size of the Hundreds there—some of them being estimated at 20 Welsh miles across—people are fined for felonies of which they had no knowledge. Therefore it is ordered that the previous order shall not apply to the Hundreds mentioned below where the old method of following track parish by parish shall be resorted to.

Hundreds concerned :—The Hundreds of Caerphilly (Karfilly) and Llantrissant in Glamorgan. The Hundred of Chirk in Denbigh.[1]

H. Sydney, J*ohn* Throckmorton, W. Gerrard, C. Foxe, Raulf Barton.

At Ludlow, 26th November, 1572.

fo. 51. Letters are ordered to be sent to the Coroners of the 12 shires of Wales, according to the tenor annexed :—

Henry Sydney, John Throckmorton, Charles Foxe, Raulf Barton.

[*The letter.*][2]

By the Queen.

Right Well beloved. Forasmuch as in past years Sheriffs for that our county have been appointed who for their worthiness and ability have well served the shire and the Commonwealth. Yet of late the Lord President and Council have understood that some of the Sheriffs, forgetting their duty and trust, have used their office to their own private gain by bargaining and compounding and receiving large sums of money for the offices of Deputy Sheriff, Shire Clerk, Bailiff of Hundreds, Jailor and other petty rooms and under offices, so leading to extortion by way of Comortha and bribery of great sums of money, goods and chattels to the impoverishment of the inhabitants of the shire, whereby divers substantial freeholders

[1] See also pp. 63–7. Sydney had now returned to his work on the Council.

[2] There was evidently some agitation on foot against the Sheriffs of Wales. On 19th Nov., i.e. just a week earlier, Sydney had written to Burghley from Ludlow justifying his appointments of Sheriffs for Wales, and next day wrote again enclosing the roll of persons nominated and the returns (*S.P.D.*, 1547–80, 453). This order of the Council evidently represents Sydney's action in Wales. In December the Earl of Essex wrote to Burghley taking exception to some of the Welsh Sheriffs and enclosing two names for Carmarthen (*ibid.* 455 : cf. below, p. 192).

have often withdrawn from the Sessions and execution of sums recovered delayed to the damage of many of our subjects, the harm of the Commonwealth and contrary to the laws and Statutes on the subject. The Queen has therefore commanded the Lord President and Council to take measures against the sale of offices and exactions. Therefore we straightly charge you to exhibit this letter in all fairs, markets or other assemblies and if hereafter any Sheriff shall be found to have sold any of the offices mentioned above, or others, or to have received bribes of money, goods or cattle, directly or indirectly, he shall be called before the Lord President and Council and punished by fine, imprisonment or otherwise, besides loss of his office without any chance of again filling it. The Justices of the Peace are likewise to be vigilant, notifying any breach of these commands, to the Lord President and Council. You shall make report on the proclamation of this letter, on the 31st January. Given under our Signet.

Henry Sydney, John Throckmorton, C. Foxe, Raulf Barton.

At Ludlow, 3rd December, 1572.

Touching Process of the Court. Billets.

Whereas[1] upon process granted from this Court between two parties the plaintiff has been used to deliver against the defendant ' billets ' containing only the return of the process and not giving the name of the plaintiff or defendant, by means of which great inconvenience is caused especially when such ' billets ' are served by persons unknown to the recipients. For the recipients are obliged to appear and are often caused long delay since they know not by whom they are charged. So upon general complaint of this by the ministers attending the Council, it is ordered by the Lord President and Council that any person who after 12th January next shall serve or cause to be served any person or persons to appear in this Court or elsewhere by force of Her Majesty's letters from this Council, shall deliver or cause to be delivered to all and every person bound to appear, in his dwelling house or houses or place of most resort a *true* ' *billet* ' of the return, containing the return of the letters with the name of the plaintiff in the bill upon which the process was granted, as also the name of the defendant or party to appear. If there be in the bill two or more plaintiffs, the ' billet ' shall contain the name of the one named first in the bill. So that the person served with a ' billet ' may know, if he have to appear, the name of the plaintiff, and may safely find the bill upon which process was granted. And in case of non-appearance of the defendant after 12th January next, if the party that served the ' billet ' cannot or do

A True Billet.

[1] There does not seem to be reference elsewhere to this, but details of the process used in serving bills during the Presidency of the Earl of Pembroke is printed in Skeel 219 *seq.* And cf. below, pp. 199–200.

not depose to its being served in manner aforesaid, no process of contempt is to be entered or granted. And if any such process happens to be entered then the defendant shall be discharged. Also letters mentioning the above shall be sent to the Sheriffs of the counties scheduled below, ordering them to make proclamation of their contents in public places of their shires.

Counties : The 12 shires of Wales ; Hereford, Salop, Worcester, Gloucester and Monmouth.

H. Sydney, J*ohn* Throckmorton, C. Foxe.

At Ludlow, 24th January, 1573.

ff. 52–3. On receipt of the letters annexed from the Privy Council, it is ordered that letters of the tenor of the minute given below be sent to the Sheriffs and Justices of the Peace, and to the Mayors, Bailiffs and other head officers of the counties, cities and towns in the following list :—

Counties : The 12 counties of Wales and Monmouth, Hereford, Gloucester, Worcester, Salop.

The Mayor, Sheriffs and Justices of the Peace of the county of the city of Gloucester, The Mayor and Bailiffs of the town of Monmouth, the Mayor of the City of Hereford, The Mayor, Sheriff and Justices of the Peace of the town and county of Haverfordwest, the Mayor of the town of Carmarthen, the Bailiffs of the town of Brecknock, the Bailiffs and Justices of the Peace of the city of Worcester, the Bailiffs and Justices of the Peace of the town of Shrewsbury, the Bailiffs and Justices of the Peace of the town of Ludlow.

Henry Sydney, Nicholas Arnold, Richard Pates, Rauf Barton.

[*Letter from the Privy Council.*]

fo. 53. To Sir Henry Sydney kt. of the Order, Lord President of the Marches of Wales. After our hearty Commendations. We send you herewith a minute of a letter sent by us to the Sheriffs and Justices of the Peace of all the Counties in the Realm, for the proper observance of Lent and other days appointed for the eating of fish. We require you to take measures for the execution of its commands within your liberties, either by publishing copies of the letter or through the Justices of the Peace. From Hampton Court, 15th January, 1573.[1]

Your lordships loving friends

N. Bacon, C.S., E. Lyncoln, F. Knollys, James Crofte, T. Smith.

[1] The Privy Council Register is missing 31st July 1572 to 3rd February

[General letter from the Privy Council.]

After our hearty commendations. Whereas divers orders have been given as well publicly by royal proclamation as by letters from us, for the prevention of killing, dressing, selling and eating of flesh in Lent and other usual days appointed for eating of fish. And yet by licences and other indirect dealings these commands have been evaded. So now Her Majesty has willed us again to write to you and to the other Justices of the Peace in the county of . . . requiring you on receipt of this letter, to assemble either all together or in convenient places to consult as to the more strict keeping of the order, and thereupon to take immediate execution. And to this end you shall provide as well by taking of bonds by obligations to Her Majesty's use as otherwise that no butcher, innholder, tippler, victualler or other person, kill, dress or suffer to be eaten within his house any kind of beef, mutton, veal or other meat commonly sold by butchers, in time of Lent, which is very convenient for the policy of this realm and the maintenance of the navy and fishing. You shall enquire for offenders at your Quarter Sessions, and also in every hundred or great parish being a market town appoint persons to survey butchers and victuallers' houses from time to time. Of forfeitures, part shall go to the poor, part to the charge of the Purveyors. Persons notoriously sick or otherwise weak of stomach may have other than butchers' meat if dressed within their own houses. But you shall give no license to butchers or others to act contrary to the laws in this matter. From Hampton Court, 14th January, 1573. Your loving friends

N. Bacon, C.S., W. Burghley, E. Lyncoln, T. Sussex, R. Leycester, F. Knollys, James Crofte, T. Smyth.

At Ludlow, 8th March, 1573.

Whereas upon suit before the Council by Henry Tayler and his wife Elizabeth plaintiffs against John Fielde, Edward Geste, John Bunnell and Richard Bunnell defendants, order was taken 17th June last that the sum of £100 delivered by the defendants to the custody of Thomas Sherer, Clerk of the Council, for the use of John Smyth, Thomas Smyth, Isabel Smyth and Ales Smyth, children of the said Elizabeth Taylor being infants within age, so that the money might be employed to most advantage, Thomas Sherer being liable for the full amount of the money and the profits should he be called upon at any time, giving yearly account of it. And whereas he was also to fo.59[1]–60.

1573. But both 1572 and 1574 saw the despatch of letters through the shires with the same end in view (*A.P.C.*, 1571–5, 69, 76, 196, 343 : cf. 346, 350). Cf. also here pp. 116, 180–1.

[1] There are two leaves numbered fo. 59.

supply from the profits £10 at least yearly for the use of the children.

As Thomas Sherer has informed the President and Council that the persons mentioned below are willing to receive the £100 and be answerable and responsible for it and its yearly increase and for the yearly sum of £10, and as these men are known to be of good substance and ability, therefore it is ordered that the sum of £100 be handed over to them, on their bond of £200 to Thomas Sherer duly drawn up and sealed, that they, their heirs, executors and administrators will hereafter be answerable for the sum to the use of the infants according to the order of 17th June last. The undernamed acknowledge the receipt of the sum by this order which shall be sufficient authority for Thomas Sherer to deliver up the £100.

Names :—Thomas Cockford, Esq., Richard Pawle, gent., Charles Bouth, gent., Ellis Abellis, gent.

Henry Sydney, C. Foxe, Rich*ard* Seborn.

At Ludlow, 9th March, 1573.[1]

fo. 57v. For the good rule of the county of Monmouth.

In consequence of the disorderly condition of the county of Monmouth the Council is determined to take measures to restore order there. A letter is to be sent to the Sheriff and Justices of the Peace there. They are to meet and take measures for the due execution of all Statutes and orders against vagabonds and keepers of retainers, to appoint overseers in every parish for the supervision of butchers and alehouse keepers. They are also to meet once a month or oftener and to certify the Council of their proceedings from time to time.

Henry Sydney, John Rastell, Ri*chard* Pates.

At Ludlow, 25th March, 1573.

fo.60–61v. Alehouses.

Whereas the Lord President and Council are given to understand that an excessive number of alehouses exists in the counties mentioned below, many being in desert and secret places, as woods, commons, waste grounds and mountains out of any high way : and the number is still increasing by the obtaining of licences from Justices of the Peace who are far away from the affected places and ignorant of the character of the applicant or the needs of the locality. And as by this felonies are increased, thieves, murderers and women of light conversation are harboured, rogues and vagabonds maintained, whoredom, filthy and detestable life much frequented, unlawful games as Tables, Dice, Cards, Bowls, Kayles, Quoits, and such like commonly exercised, Bows and Arrows left aside to the great decay of artillery

[1] This document is printed in full in Collins, *Letters and Memorials of State* (*Sydney Papers*), i, 59–60, from a Penshurst copy. The signatures are not given there. Cf. also Wright, *History of Ludlow*, 1852, pp. 399–401.

and emboldening and encouragement of the foreign enemy. And as by the statute passed in the 14th year of the reign [1] a most godly way was provided for the relief of the poor, aged and impotent, whereby they should not wander abroad but be relieved in their own parishes, yet is the statute smally regarded and clean forgotten. Whereby the poor and needy are like to starve and rogues and vagabonds wander about unpunished by default of the Sheriffs, Justices of the Peace, Constables, Petty Constables and other under officers.

Therefore the Lord President and Council, desiring to amend this state of things, have thought to advertise those in authority that they may have regard to their credit. So letters mentioning the premises are to be dispatched to the Sheriffs and Justices of the Peace in the counties named below, ordering them to bend their whole study to the discharge of their duties. They are to assemble to discuss by what means good order may be continued, alehouses, vagabonds and unlawful games suppressed, the poor relieved, and artillery maintained. The Justices of the Peace, dividing themselves into allotments within each Hundred of their shires as discretion shall advise, are to call before them the Clerks of the Peace, High Constables and police Constables of every Hundred to discover how many alehouses there are in every township, hamlet or other place in their counties, standing bound according to the statute and also how many alehouse keepers are not so bound ; also whether any persons keep ale or victualling houses in desert and suspect places not meet for that purpose, and whether any be admitted by any other Justice of the Peace, beyond those limited and allotted to the Hundreds wherein the alehouse keepers live. The Justices are to remove the excessive number of the alehouses, especially all those in suspect or remote places. Further the Sheriffs and Justices of the Peace are to see that the Statute concerning the relief of the poor and aged is put in force, and rogues and vagabonds duly punished, artillery used and maintained and unlawful games abolished. The Justices are to notify the Lord President and Council of their proceedings, in all these matters, before 12th June next on pain of £100. Counties—Hereford, Gloucester, Worcester, Salop.

Likewise to the Sheriffs and Justices of the shires undermentioned requiring them further that so soon as any offender for murder, felony or any other misdemeanour or offence be known, the Justices shall cause the matter to be examined forthwith and certificate on this and on the whole state of the county to be made monthly to the Lord President and Council that they may proceed to the punishment of the offenders.

Counties : Monmouth and the 12 shires of Wales.[2]

[1] Stat. 14 Eliz. c. v. ' An Act for the punishment of vagabonds and the relief of the poor and impotent.'

[2] See below, p. 145, for special order concerning the alehouses in Radnor.

At Worcester, 10th June, 1573.

Between John Doodeswell Esq. and John Nott and Thomas Warneford defendants. At which day the Plaintiff and Thomas Warneford one of the Defendants in person and Francis Smallman gent., Attorney for the other defendant appeared before the Council. The matter in hand was for the vexing of the plaintiff with double distresses by distraining for the rent within specified, due, and restrained by the plaintiff's lease out of the tenement and lands within mentioned Golafers (Gollovers).[1] Forasmuch as the defendants pretend title severally to the reversion of the said land, and as the plaintiff offers to pay the said rent to such of the defendants to whom it is and ought to be due—which is not nor cannot yet be known until trial on that point be had between the defendants—it is therefore ordered by the Council for avoiding the plaintiff's double vexation, that the plaintiff shall pay the rent (26*s.* 8*d.*) into the hands of the Clerk of this Court at the times and days limited in the lease, and there it shall remain until the question of title is tried, when it shall be put to the use of whichever of the defendants has best right to it. Further neither of the defendants shall vex the plaintiff by distresses for the non-payment of the said rent until the question of title be settled, which trial shall take place upon the bill already exhibited against them.

8 Nov. 1573—Received by reason of the order from the plaintiff, 13*s.* 4*d.* into the Court.

Received since, 13*s.* 4*d.* Received more, 13*s.* 4*d.*

ff.62–63. Proclamation[2] against slanderous and seditious books and libels, 28 September 1573.

ff. 63–64. Proclamation against despisers or breakers of the orders prescribed in the Book of Common Prayer, 20th October 1573.

ff.65–65^{v}. Commission of *Oyer et Terminer* for Uniformity of Religion in the County of Salop. To our trusty and well-beloved Henry Sydney kt. President of the Council in the Marches of Wales, also to John [Scory] Bishop of Hereford and Thomas [Bentham] Bishop of Coventry

[1] A portion of Naffard, now part of Eckington, still retains the name of Golafers (Nash's *Worcestershire*, 1782, ii, 180 n.). John Nott, lord of Great Sheldesley, had the patronage of the church there in 1599 but died before 1610, when Penelope Nott, presumably his widow, presented (*ibid.* ii. 353). The marginal record of three half-yearly payments affords some guide to the continuance, if not the settlement, of the dispute.

[2] Both these proclamations are printed in Dyson's *Elizabethan Proclamations*, ff. 162 *seq.*

and Lichfield, to Andrew Corbet kt., Arthur Manwaring kt., George Bromley Attorney in the Duchy of Lancaster, William Gerrard, William Leighton and Robert Nedeham Esqs. You or four or more of you, are to enquire by oath of honest and lawful men, as well within liberties as without, concerning misprisions of treason, insurrections, rebellions, murders, felonies, burglaries, homicides, killings, riotings etc., etc. ; but especially concerning any offences against the Act entitled ' An Act for the Uniformity of Common Prayer and Service in the Church and the Administration of the Sacraments,' committed in the county of Salop, hearing and trying offences against the statute at meetings on certain days at fixed places : making certificate to us of your proceedings within a space of two months. By Letters patent dated St. Michael the Archangel's day [29 Sep.] Westminster, 28th October 1573.[1]

[*Petition.*][2]

To the Right Honourable the Lord President and others etc. ' In their most humble manner complaining show unto your good lordships your orators Edward Herbert and James Price Esqs,' for themselves and most of the freeholders in the counties of Montgomery and Radnor :—Whereas most of the land in these two counties consists of mountains, hills and other waste ground on which the freeholders have had as far back as can be remembered Common of Pasture all the year round, so breeding yearly great numbers of horses, mares and geldings as well for the maintenance of the strength of the Realm as for the upkeep of tillage ; also no small number of oxen, kine, sheep and other cattle for food. Yet divers persons within these counties, preferring their private lucre and gain before the welfare of their country, have within the last twenty years or so acquired cottages and other small freeholds and do in the summer put on the mountains and hills not only their own cattle (which they keep elsewhere than upon their lands in these counties in winter) but also cattle hired from other men, making such number of cattle as the hill pasture will scarce suffice to feed for half the summer. As a result the commons are left so barren that your orators' cattle die yearly in the winter to the great hindrance ff. 68v–69.

[1] Reference to this occurs in an entry in a town chronicle of Shrewsbury (ed. W. A. Leighton, *Early Chronicles of Shrewsbury*, in Trans. Shrop. Arch. and Nat. Hist. Soc. 1880, p. 273). ' This year (1573–4) and about the latter end of this month (October) there came to Shrewsbury the Lord President with the Bishop of Coventry and Lichfield, as special Commissioners for to see an order and reformation in the churches according to the Queen's Majesty's instructions.' Cf. also Owen and Blakeway, *Hist. of Shrewsbury*, i, 357.

[2] The petition is undated, but was presumably penned not long before the succeeding order of 23 November, 1573, which it produced. See Introduction, pp. 17–18.

of the common wealth not only of the inhabitants of these counties but also of those near adjoining. Wherefore, as Common of Pasture is of common right due for no more or other cattle than for those and such cattle as every man upon his freehold within the said counties shall be able to maintain in the winter season ; also before these counties were subjected to the laws of this realm, these and other enormities were presented in the Leet Court of the Manors and Lordships and the offenders condignly punished to the great wealth of the inhabitants of these counties ; also since these counties were made subject to the laws of the Realm these same offences have not been thought inquirable and the offenders are grown so powerful that only your lordships' interference can check the evil ; also by the driving to and fro of so many cattle many householders are utterly impoverished by the carrying off of their beasts and many great and outrageous felonies are shadowed, coloured and cloaked—May it therefore please your lordships to grant that the Queen's and your letters may be sent to the Sheriffs and Justices of the Peace in these counties, ordering them to make public proclamation concerning the petition and requiring every inhabitant who feels himself aggrieved therewith to appear before your lordships on or before 1st March and stating that if no sufficient cause to the contrary is shewn your lordships will proceed to take measures on the petition.

fo.70–70v The Petitioners here under written think it very meet and convenient and according to their bounden duty to set down in writing their ancient and laudable usages touching Commons and Wastes in the counties of Montgomery and Radnor, to show the great commodity consequent on their due observance and the enormities and calamities grown since the abuse. So that your lordships may understand these customs, drawn up by memory of man as well as by Ancient Records, Evidences and Charters always ready to be shewn and proved. They beg that these articles may be annexed to the petition already presented.

1. All the enormities and detriments committed take place altogether or for the most part within the Lordships Marcher.

2. These enormities were inquirable in every Marcher Court and Jurisdiction—before they were made shire ground—having then *Jura Regalia*, the offender being punished and amerced, the profits going to the lord of the soil, by which means the Commons and waste were kept in good order.

3. The same enormities have also been inquired of from time to time in the Assizes and Quarter Sessions as well as in the Sheriffs' Taurns, and those found guilty amerced, the amercements going to the Queen's use.

4. It was not lawful for any freeholder or his undertenant within the said lordships marcher to erect any cottage or hovel without the

lord's licence, save within the 'meres'[1] and limits of the township in which such freeholder dwelt or wherein his freehold lay.

5. It was not lawful for any freeholder to dwell in any cottage or hovel so made but from 15th of May to 15th of August, if he did contrary he was to be fined.

6. No freeholder or his undertenant might take any stranger's cattle for the summer season above the number his tenement or freehold would maintain for the winter.

7. As the most part of the freeholders living near to the said mountains and wastes have but small quantity and few acres in severalty and the same very barren and fruitless, they cannot, without good order being had for the commons and wastes, maintain themselves and their families as they and their predecessors have done before.

At Ludlow, 23rd November, 1573.

Upon sight and consideration of the above petition it is ordered that fo. 69v. letters be directed to the Sheriffs of the counties of Merioneth, Montgomery, Radnor and Brecknock, reciting the complaint, willing them to assemble before them the most substantial freeholders of those counties and to set down (1) the names of all such persons inhabiting there who take English cattle to keep every year, (2) how many cattle these men keep yearly (3) the sum they take for every beast (4) what living their keepers have besides the looking after these cattle. The Sheriffs are also to devise some method for redressing the grievances, certifying the Council of their proceedings, by the 15th January next, to the intent the Council may thereupon take order.

H. Sydney, William Gerrard, C. Foxe.

At Ludlow, 24th November, 1573.

Forasmuch as Clement Donne of the County of Radnor is com- fo. 66. mended to the Council as an apt person to take the examination of witnesses upon his oath as a deputy to the Clerk Examiner as he shall be directed by special commission from this Court. And as he is nominated by Thomas Sherer gent. Clerk Examiner with request for an allowance according to the arrangement made 12th June in the 12th year of this reign, and has promised to do his duty as a diligent examiner, not charging fees above those laid down in the order and rendering account for the fees belonging to the Clerk Examiner as laid down in the Letters Patent contained in the above mentioned order, the Clerk Examiner allowing him for the

[1] Mere, mear, a boundary (*O.E.D.*). Powel, *Historie of Cambria,* 1584, xx, speaks of 'the meares and bounds of Wales.'

examination of each witness fair and legibly written and truly examined 6*d.* ; and as the said Clement Donne has taken the form of oath required of him, he is hereby allowed to be an examiner.[1]

[*Letter from the Privy Council*].[2]

After our hearty commendations. As we are informed that sundry quantities of grain and victuals, chiefly of butter, have been taken up in Wales, and namely in the county of Monmouth, under pretence of transportation to the North of Ireland for the Earl of Essex, which provisions have not been sent there, at least in any quantity, we have thought it necessary to require you to give order for examination into the matter where and by whom you think meet, so that we may know what provisions have been gathered up, by whom the work was done and what has become of the goods, praying you to certify us thereof as speedily as may be.

Westminster, 9th Jan. 1574.

Your lordships very loving friends :—N. Bacon C.S., T. Sussex, A. Warwick, R. Leycester, James Crofte, T. Smyth, Francis Walsingham, Walter Myldemay.

Postscript.—Dominick Chester is specially noted with this offence.

At Ludlow, 17th January, 1574.

fo. 67. The Privy Council has been informed that sundry quantities of grain and victuals chiefly of butter have been taken up in Wales, and namely in the county of Monmouth under pretence of export to the north of Ireland for the Earl of Essex, and carried to other parts, only a small portion being sent into Ireland. The Privy Council has therefore required the Council to look into the matter and make certificate saying what quantity of provisions was levied, into whose hands it was placed and what became of it. To this end the Council has chosen the commissioners in the annexed schedule to examine, inquire and try in the County of Monmouth. A letter rehearsing the premises is to be sent to them, on receipt of which they—or two of them—are to meet and use every means as well examination of witnesses as other to discover the answers to the Articles. Their good and diligent travail is expected and all officers, ministers and others are to be answerable before them if necessary.

[1] No signatures are appended. Cf. 76, the order which appointed Sherer and allowed him to nominate deputies : also pp. 118, 119.

[2] The order for the despatch of this letter is given in *A.P.C.* viii, 178–9. A 'letter of appearance' was also ordered for Dominick Chester of Bristol whose appearance and answer to the charge is noted later (*A.P.C.* viii, 183, 31 Jan. 1574 : cf. also *ibid.* 268, 324, 330 ; *S.P.D.*, 1547–80, 573).

The commissioners are to report to the Council before 1st March next. Letters of like tenor are to be sent to the commissioners of other counties also named in the schedule.

H. Sydney, John Throckmorton, C. Foxe.

Commissioners :—

Monmouth :—Sir Charles Somerset kt., the Sheriff, William Morgan of [Llanfihangel] Llantarnam ; or to any two of them, whereof the said William Morgan to be one.

Glamorgan :—Sir Edward Stradling kt., Sheriff, Sir Edward Mannxell kt., William Herbert of Swansea Esq., Leyson Price Esq. ; or to any two of them.

Brecknock :—William Games, Richard Price, Edward Herbert, Esqs., Thomas Huet, Clarke ; or to any two of them.

Radnor :—James Price, John Bradshaw, Thomas Lewis, Edward Price, Esqs. ; or to any two of them.

Carmarthen :—The Bishop of St. Davids [Richard Davyes], Sir Henry Jones kt., Sheriff, Gryffydd Rees Esq., Thomas Vaughan of Pembrey, Esq. ; or to any two of them.

Pembroke :—John Wogan of Boulston Esq., Sheriff, John Barlow, Gryffydd White, George Wirriet, Esqs. ; or to any two of them.

Cardigan :—John Price, John Powell, Esqs., Rice David ap Jenkins Esq., Sheriff ; or to any two of them.

Denbigh :—Sir John Salusbury kt., Robert Puleston, Jevan Lloyd, John Edwards, Esqs. ; or to any two of them.

Montgomery :—Edward Herbert, David Lloyd Jenkin, Sheriff, John Price, David Lloyd Blayney, Esqs. ; or to any two of them.

Flint :—Roger Puleston Esq., Sheriff, John Hanmer, William Mosten, John Gryffydd, Esqs. ; or to any two of them.

Carnarvon :—Maurice Wynn, John Wynn, Doctor of Law, Rowland Puleston, Richard Mosten, Esqs. ; or to any two of them.

Anglesey :—The Bishop of Bangor [Nicholas Robinson], William Lewes, Owen Woodd, Morice Gryffydd, Esqs. ; or to any two of them.

Merioneth :—Ellice Price, Sheriff, John Owen, Rees Hughes, Owen Wynn, Esqs. ; or to any two of them.

At Ludlow, 24th January, 1574.

ff. 119v–121. The Marshal's Office.[1]

Whereas in most of the Queen's Majesty's Courts at Westminster or elsewhere there is an officer called the Marshal of the Court, and in some another officer called the crier and another called the Usher, whose duties are to attend upon the chief officers at their sitting,

[1] This is inserted in the space between two entries of November and October, 1575. There is no mention of this office or its holder in the instructions printed by Clive. See Intro. p. 26.

and before the sitting to see that the court is clean from dirt and filth and the ' quishynes ' [cushions] of the chief officers laid, and at the opening of the court to make a short Oyez and then to give warning for silence and to see that silence is kept diligently throughout the sitting ; to give ear to the court when commanded to call for any one ; to give warning to any one of any thing commanded ; readily to have a book in his hand to give oath to and swear all such as he is required ; in the absence of the pursuivants to bring to or from the court any person or message and to take or receive for his fees and services as to the officer appertaining has been accustomed.

And whereas by the want of such an officer in this court there daily arise such abuses as follow, worthy of redress. First the officers in court, suitors and strangers daily use such loud speech that the Council sitting on the bench cannot hear the bar and so are driven to play the usher or marshal themselves. Also every attorney uses the part of crier, calling for his clients to appear. Also every attorney is forced to carry a book with him and upon every answer taken or for the administering of the oath, to use the part of the marshall whereby such haste is used to despatch their clients as in coming to the court or when the Council is risen by the way coming to or from the court, parties and witnesses being ' posted ' to be sworn in such rash haste, that the peril of the oath is little regarded and the truth of the deposition may be doubted.

The Right Honourable Sir Henry Sydney, Lord President, minding, with the advice of the Council, to reform these abuses, and having attending upon the Council (as he has been for some years) one Hugh Shadwell gent., who is desirous of serving the Council and has obtained, in furtherance of that end, letters commendatory from the Earls of Warwick and Leicester, the Lord President and Council thinking the said Hugh Shadwell a fitting person to supply the office of Marshall, Usher and Crier in the court, hereby order that henceforth he shall attend the Council at all sittings as Marshal of the Court, taking his seat at the further end of the bar, over against the place where the porter usually sits. And the said Hugh Shadwell shall diligently and truly fulfil all and everything set down in articles subscribed as the duties of the said office, taking for his services as much and no more as is set down by the Lord President as his fees.

1. Every morning and afternoon before the Court sits the Marshal shall see that the court be clean and the cushions laid.

2. He shall see that the bar for the Counsellors be not dusty or filthy and the place where they stand covered with rushes, renewed once or twice a week.

3. Like cleanliness is to be observed in the chief clerk's and attor-

neys' seat, rushes being placed underneath and a cushion provided for the Chief Clerk.

4. For his services the Marshal may on the day before and day on which the term ends, gather in a box purse or glove the 'benevolences' of the Counsellors, Attorneys and Suitors.

5. He shall have a New Testament of a fair large volume and big letters under clasps covered with board, and hold it when any one is sworn in open court either in excuse of any man's appearance, or in discharge by wager by law, or as a witness ; the oath upon answers or serving of process the Council, for the expedition of the client, leave to the order before used.

6. For his service in the administration of the oath he shall have of every person who 'shall wage his law and upon his oath be discharged ' 6*d*. from the person sworn or the defendants' attorney from the costs awarded the defendant.

7. If the plaintiff fails to appear to take his oath, after the Marshal has called for him three times, and is nonsuited, the attorney for the defendant shall pay the said Hugh Shadwell 4*d*. from the costs assigned to his client.

8. For every oath administered for installation of any possession the Marshal shall have 4*d*. and the like for every oath for lack of an appearance, receiving it from the person deposing, or the attorney for whom the matter is moved.

9. For ministering the oath to every person by command of the court, by which any party is dismissed or have the cause referred, the marshal shall receive 2*d*. from the party obtaining the benefit. In all other cases of administering the oath he shall not receive anything.

10. He shall have recourse to the office to take notes of any excusings of process by oath so that if cause of perjury fall out he may provide information and prosecution.

11. He shall call all persons required to appear, three times, solemnly. If by default or lack of prosecution they have been dismissed, the attorney for the defendant shall pay the Marshal 4*d*. from the costs of the dismissal.

12. As the Council finds that very often at the time of hearing the attorneys or Counsellors or books are not ready, the Marshal is to call them solemnly three times and then, if they are not ready, to receive from the defaulting attorney or Counsellor 4*d*.

13. The Marshal shall always have in the court a box wherein to place fines levied by the Council either upon attorneys for moving things prohibited and making thereof a rule, or upon disturbers of the order of the court. The fines are to be used for the poor at the end of each term as the Council may appoint.

H. Sydney, Andrew Corbett, John Throckmorton, William Gerrard, Richard Seyborne, William Leighton, John Price.

Tuesdays and Friday for Councillors; the rest of the week for Attorneys.

Counsellors to be heard in their rules without disturbance of the Attorneys, Attorneys without disturbance of the Counsellors, a° 16 Eliz. [1576–7].

At Ludlow, 25th January, 1574.

fo. 72. Surcharging of Commons in Wales.

Whereas great complaint has been made to the Council divers years past by inhabitants of the counties of Merioneth, Montgomery, Radnor and Brecknock, and lastly by some of the Justices of the Peace of Montgomery and Radnor that wastes, commons and mountains are and for many years past have been surcharged and overlaid by the taking to keep in summer time of the cattle of strangers and foreigners who have no rights of common there, so that those with right of common lose the benefit of the winter succour. And by this the breed of cattle there, especially of horses and mares, is in manner utterly decayed; and many cattle are stolen and carried off. And whereas the Council last November directed letters to the Sheriffs to find out the truth of these complaints, and the offenders: and whereas the Council in this term of Hilary has received certificate from all the Sheriffs, viz:—from the Sheriffs of Merioneth and Brecknock that the letters were received so late that they could not execute their commands, although the Council believes the truth of the complaint for some counties; also from the Sheriffs of Montgomery and Radnor[1] a certificate containing not only the names of those who yearly take and receive cattle and the number of cattle they of the County of Radnor take, but also their opinion—together with the advice of the Justices of the Peace—as to the redressing of the evil. They urge that no inhabitant of the county should be allowed to keep more cattle in the summer than he may find food for in the winter. Upon consideration of the complaint and certificate, together with the special knowledge which the Council possesses concerning the decay in the breed of cattle and the subtle practices whereby keepers of cattle steal and secretly sell them and then claim and obtain the value of the cattle from the parish in which they shew the track to have been lost, letters are to be sent to the Sheriffs and other persons subscribed for these shires with a copy of the annexed articles, commanding them to assemble as soon as possible within their several counties and then and afterwards to carry out the commands of the Council, upon pain of £100. Further from 20th April and until the orders of the Council are fully accomplished, no inhabitant of any of these counties shall take any strangers' cattle to grass, on pain of fine and imprisonment.

[1] It is to be noted that the two counties which made return were those from which the original petition was presented.

Articles devised by the Council to be executed by the persons whose names are subscribed as commissioners :—[1] fo. 73v. Commons.

i. At their first meeting the Commissioners shall divide those districts of the County adjoining the Commons and waste into as many parts as they think meetest. They shall then summon before them six of the most honest and substantial inhabitants of each division, and cause them to swear upon the holy Evangelist to enquire and return answer to the Commissioners at an appointed time, concerning the following articles :—

You shall by the oath that you have taken inquire and set down :—

(1) Who and how many persons in your district have and have had cattle upon the Common called . . . . in the summer.

(2) The number of cattle and sheep, so divided, which these persons have.

(3) Of how many of these cattle and sheep these persons are the very true owners without fraud, and also how many cattle can be maintained in winter time on the ground on which they have their cattle.

(4) From what place and country men receive cattle to keep in summer time, and also how much they receive of the owner for every horse, colt, mare, sheep or other beast.

(5) Who and how many of those who take such cattle to keep give warrant for its redelivery.

These questions are to be answered by jurors before the date fixed by the Commissioners on pain of a fine to be levied for the Queen's use and paid to the Clerk of the Fines attending the Council, the last pain to be assessed on any person for default being 20*s*.

ii. After receiving the answers to these inquests the Commissioners are to assemble in writing in a paper book in order the answers they have received and any further information they may have gained on the subject.

iii. They are severally to deal with those persons who are presented or known to them as keepers of the cattle of strangers, or overstockers of the commons in summer time.

iv. They are to set limit in writing to the number of cattle these men may keep in the summer, having charitable regard therein as to their discretion they think meet and convenient.

v. They are to bind over those who have kept or shall keep more than the limited number of cattle, by the sum of £40. endorsed with the number of cattle allowed ; refusals to give such surety are to be reported to the Council.

vi. These bonds taken and the book made perfect, the Commissioners shall certify the Council of it, notifying them of those who are bound over and of those who shall refuse to appear before them, in

[1] The names are not subscribed, nor is any report given.

order that the Council may punish the contempt and bind the offenders over to the observation of the ruling of the Commissioners in regard to the number of the cattle. The Council desires that the work may be completed before the 20th April next.

At Ludlow, 27th January, 1574.

fo. 74. An Order for the Pursuivant's Fees.

At this day Roger Gruffydd *alias* Barbour and William Whitehead presented a petition before the Lord President and Council. On sight and consideration of this petition it is hereby ordered that the petitioners shall henceforth have as fees 6*s.* 8*d.* of every person that they or either of them by warrant of the Council shall arrest together with the sum of 2*s.* for every day that any such person shall remain in their custody. Also in the absence of the petitioners, whoever shall serve any bill or information signed by the Council shall pay to the petitioners the sum of 4*d.* When the petitioners are present no one shall intrude or intermeddle to serve any bill or information. This order is to be sufficient warrant on this behalf.[1]

H. Sydney, John [Scory Bishop of] Hereford, W. Gerrarde.

At Ludlow, . . .[2] *January,* 1574.

Examiner

Forasmuch as Walter Gunter of the county of Brecknock is commended to the Council as an apt person to take examination of witnesses upon oath, as a deputy to the Clerk Examiner, in such places and between such parties as shall be directed to him by special commission from this court, in the county of Brecknock and the Hundred of Pains Castle (Pannescastle) and Colva (Colmwey) in the county of Radnor. And as he is commended by James Gomonde Esq., Justice of the Peace in the County of Brecknock and Humfrey Haworth one of the Attorneys of the Court, and also nominated by Thomas Sherer gent. the Clerk Examiner, with request of allowance of the same according to the order of the 12th June a° 12, to fill the office so long as his conduct is well liked. And as he has promised to do his duty as a diligent examiner not charging parties more than is laid down in the above mentioned order, and rendering account for his fees. And as the Clerk Examiner is willing to allow him for the examination of every witness fair and legibly written and truly examined 6*d.* : and as the said Walter Gunter has taken the oath attached to the form aforesaid, so he is admitted to the office.[3]

John [Scory] Hereffordensis, William Gerrarde.

[1] Cf. above, p. 80, for kindred entries.
[2] No day is given : the report was evidently copied in some time after the meeting.
[3] Cf. above, p. 107 : below, p. 119.

[*Signet Letter.*]

By the Queen.

To our Trusty and Right Wellbeloved Sir Henry Sydney, or in his absence to the Vice-president and Council there. fo. 75.

On notice given to us of the Earl of Desmond's late escape out of Dublin[1] and thereupon some likelihood of troubles there, we have for the more safety and better meeting of all possible practices and devises on the part of the Earl or others, resolved to have put in readiness a certain number of soldiers, as well horsemen as footmen, of which we have appointed 133 footmen and 20 horsemen from Wales and the Marches i.e. :—from the county of Hereford 33 f. and 4 h. ; Flintshire 25 f. and 4 h. ; Denbighshire 25 f. and 4 h. ; Montgomeryshire 25 f. and 4 h. ; Merionethshire 25 f. and 4 h. ; Of the footmen we desire 28 to be billmen and the remainder arquebusiers well furnished with their several weapons beside their swords and daggers as footmen. The horsemen are to be furnished with arquebuses, to serve as arquebusiers on horseback. On receipt of this letter you shall forthwith cause this force to be mustered, chosen and put in full readiness, sufficiently furnished as before said, so that upon one day's warning they may set forward and go to the place of their embarking, under the conduct of those to be appointed by our Privy Council. These our letters shall be sufficient warrant for you. Given under our Signet at our Honour of Hampton Court, the 16th day of February 1574.

At Ludlow, 26th February, 1574.

In consequence of the receipt of the above letter, letters are ordered to be sent to the Sheriffs and Justices of the Peace of the Counties concerned, requiring them, or any six of them, the Sheriff being one, forthwith to assemble themselves and see to the mustering of the necessary forces properly armed and equipped so that they may be ready at a day's notice to set out for the place of embarkation. They are not of favour or malice to exempt any fit person or to charge any one unmeet for service, or in their assessment tax any one beyond their ability. They are to use diligent care not to oppress the poor or spare the more able. They are to meet in time to be able, before the 16th of March, to present a Certificate to the Council, detailing their proceedings, the names of those appointed to serve with their equipment of armour and horses, and the account of their assessment

[1] Gerald Fitzgerald, Earl f Desmond, escaped from Dublin 16 Nov. 1573. Other references to the levying of troops for Ireland at this time occur in *S.P.D.*, 1547–80, 473–4, including a letter of date 25 Jan. from the Queen to the Lord President of Wales ordering a levy of men : and also in *A.P.C.*, 1570–5, 177, 179 *et seq.*

of the money required for the setting forth of the forces. For the contrary they will answer at their extreme peril.

W. Gerrard, C. Foxe.

Hereford :—33 footmen whereof 5 are to be billmen and the rest arquebusmen well furnished etc. Flint :—25 footmen whereof 6 to be billmen. Denbigh :—*ib.* Merioneth :—*ib.* Montgomery:—5 billmen.

[*General letter from the Privy Council.*][1]

fo.76–76v. For abstinence of flesh in time of Lent.

Whereas order and charge has heretofore been given by proclamation of the Queen publicly as by letters privately from us for the forbearing from killing selling, dressing or eating flesh in Lent and other fish days, which have not by means of licences and other indirect dealing been well observed. We write again, by Her Majesty's command, to order you and the [other] Justices of the Peace within your jurisdiction to assemble as soon as may be, to consult how the said former orders may be more effectually observed. And thereupon straightly to execute what shall be determined upon. And for the better keeping of the former orders Her Majesty doth straightly charge you to provide, by taking of bonds or otherwise, that no butcher, innholder, victualler, tippler or other person do in the time of Lent kill, dress or suffer in his house to be eaten any kind of beef, mutton, veal or other meat commonly sold by butchers, thinking verily that the common liberty of the multitude shall be by this more restrained, for the convenience of the policy of the realm and the maintenance of the navy and fishing. The Justices are to enquire concerning offenders, at their Quarter Sessions yearly, not omitting to take advantage of the breach of any bond or obligation. Also, they are to appoint in every Hundred or great parish being a market town, well disposed persons to survey the suspected butchers' houses weekly. Of the forfeiture of the obligation, part may go to the poor and part to the surveyors. Persons notoriously weak of stomach may have meat dressed in their own houses. The Queen is pleased through us not only to thank you for your diligent performance of her wishes this last year but also to charge you to look more straightly (if it may be) to the execution of her commands, as you will answer for default. From Hampton Court, 21st February.

N. Bacon, C.S., W. Burghley, E. Lincoln, T. Sussex, A. Warwick, F. Bedford, R. Leycester, F. Knollys, T. Smyth, Fra*ncis* Walsyngham, R. Sadler, Wa*lter* Mildemay.

[1] *A.P.C.*, 1571–5, 196, '29 letters to divers shires, etc. for the observation of Lent and forbearing of eating and killing of flesh according to an old minute of the same effect in the Council chest.' Cf. above, pp. 100–1, and also Cunningham, *Eng. Industry and Commerce*, vol. ii, pt. i, p. 69.

At Ludlow, 2nd March, 1574.

In consequence of the receipt of the above letter from the Privy Council, it is ordered that letters be directed to the Justices of the Peace in the counties mentioned below, reciting the contents of the letter and commanding them to assemble to consult as to the better execution of the former orders on the subject, and to carry out in detail the instructions contained in this last order, as they will answer for the contrary upon Her Majesty's high displeasure. fo. 77.

List of Counties etc. Herefordshire, the town of Ludlow, Monmouthshire, the twelve counties of Wales, the towns of Haverfordwest and Carmarthen.

W. Gerrarde, C. Fox.

[*Letter from the Privy Council.*]

To our Very Good Lord the Lord President or in his absence the Vice-President and Council: After our hearty commendations. We enclose a copy of a letter containing the order taken by Her Majesty for the relief of the charges of the Sheriff in regard to the Justices of Assize, of which charges diverse complaints have been made in Parliament and elsewhere. We desire your lordships to notify those officers of Her Majesty within your jurisdiction who ought to be informed. Touching the Justices of Assize Diets.

From Hampton Court, 22 February 1574.

W. Burghley, E. Lyncoln, T. Sussex, A. Warwyke, F. Bedford, R. Leycester, F. Knollys, T. Smyth, Fra*ncis* Walsyngham.

[*General letter of the Privy Council.*]

Where of long time many gentlemen, eligible for or having served in the office of Sheriff, have complained in Parliament and elsewhere of the great cost of the Sheriffwick by reason, they allege, of the large diet and other charges of the Justices of Assize and Gaol Delivery, yearly increasing, so that many most meet persons have of late made suit to be excused from the office of Sheriff for lack of means. The Queen has therefore thought the matter should be considered by her Council and remedy provided. We well perceive by petitions in the Exchequer of divers Sheriffs for allowance of the diet and charges that these have yearly grown more great and so Her Majesty is thereby more charged than is reasonable. It is therefore determined that after this Lent Assize the Sheriff shall no longer have the charge of the diet of the Justices of Assize but that the Justices shall have several sums of money from

Her Majesty's coffers for that purpose. Most of the Justices have been informed of the change. Yet you and your successors shall aid the servants of the Justices to make provision for the lodging of the Justices at as reasonable a charge as ought to be for Her Majesty's servants, remembering the painful and careful service of the Justices. Finally we charge you that, unburdened of these charges, you do not enter into any unnecessary charges not used in the time of the Queen's Majesty's father or other her progenitors, for it is not intended henceforth to give you aught on your account but what is well warranted for. We have also instructed the Justices that at their first coming to hold the Sessions they shall, if possible, deliver the gaols before proceeding to the Assizes in order to avoid long attendance of a multitude of Justices. And therefore we will you should make ready your jails and prisons for this service, being the principal cause of their sessions. From Hampton Court, 21st February 1574. Your loving friends—

N. Bacon C.S., W. Burghley, E. Lincoln, T. Sussex, A. Warwick, F. Bedford, R. Leycester. F. Knollys, T. Smith, Fra*ncis* Walsyngham, R. Sadler, Wa*lter* Myldmay.

Postscript—For the next Assizes it shall suffice if you provide for 2 messes of meat well furnished. And if over and above that you shall demand any further allowance of the Justices' diet, it is not meant you shall have any after you see what order it has placed Her Majesty to take here.[1]

[*Petition.*]

fo. 79. Letters of Commendation for the Examiner of Glamorganshire.

Right honourable, our Duties used. May it please your lordships to understand that by the report of many persons in our county having suits before your honours, are often obliged to go into Carmarthenshire to seek the Examiner to execute their commissions, and sometimes, unable to find him, are obliged to pay costs to the other party. And as we think it very meet and necessary to have an Examiner appointed within the said shire ; and as the bearer John Andrew affirms unto us that he means to be a suitor to your honours for the post, we on his behalf signify that we of our own knowledge think him an indifferent man and suited for that purpose, not liable to be corrupted for favour or lucre. Dated this 17th of March 1574. Your lordships at Commandment,

W. Harbert, A. Manxell, W. Herbert.

[1] A note of the despatch of this letter ' whereof a minute remaineth in the Council chest ' is given in *A.P.C.*, viii, 1571–5, 197. The discussion in Parliament had continued for some time. In 1559 and again in 1563 Bills were introduced ' for the allowance to Sheriffs for Justices' diets.' In the latter year it was declared on behalf of the Queen that commissioners would be sent to inquire into the grievances of the sheriffs and royal action would follow (D'Ewes, *Journals*, 51, 71, 79, 88). Action came over a decade later, in this form.

At Ludlow, 20th March, 1574.

Examiners.

Forasmuch as John Andrew of Pendoylan in Glamorganshire is recommended for the post of Deputy Examiner to the Clerk Examiner, by William Herbert of Swansea, Anthony Manxell and William Herbert of Cardiff, Esqs., Justices of the Peace in that county, and as he is also nominated by Thomas Sherer gent. Chief Clerk Examiner, according to the order of 12th June a° 12 of this reign ;[1] and as he has taken the oath annexed to the form of that date, he is hereby elected and admitted.

N. Arnold, Ra*lph* Barton.

fo. 80v. The decree of the Privy Council touching the authority and jurisdiction of the Council in the Marches.

At the Star Chamber, 13th May, 1574. Report of decision by the Privy Council in favour of the jurisdiction of the Council of the Marches over the City of Worcester,as against the claim of one Robert Wilde. *From a Copy by Ed. Tremayne, Robert Bele.*[2]

fo. 81

Copy of a Proclamation against excess in apparel. Dated at Greenwich, 15th June 1574.[3]

fo. 82

A brief content of certain clauses of the Statute of King Henry VIII and Queen Mary with some moderation thereof, to be observed according to her Majesty's proclamation.

[*Writ of Inhibition : Latin*].

fo.85–85v. The Council thought this writ not to be allowed. November 1574

To Sir Henry Sydney and the Council. Since the manor of Galfrogwye with a water mill called Melin Galfrogwye and the farms of Cerrig (Kerige), Dewellodwygan, Llanor, Llanllibio, Bodoroggeynes [? Bodorgan], Gwyd-le-gyrne and Tynsyllowe now held on lease by Richard Bulkeley Esq., are held from the Queen, all cases affecting the reversions and rents ought to go before the Court of the Exchequer. As a certain Agnes[4] Bulkeley, widow of the late Sir Richard Bulkeley has brought suit against Richard Bulkeley Esq. before you, contrary to the jurisdiction of the Court of Exchequer, so on the receipt of this writ, all process before you on her behalf against the said Richard Bulkeley Esq., is to be stopped and the said Agnes Bulkeley is to bring no action against

[1] See above, pp. 107, 114.

[2] Identical (save for marginal notes and names) with the version printed in *A.P.C.* viii, 236–8. Cf. also *ibid.*, Intro. xx, 200, 204, 207, 209, 231, 234 : Skeel, 132–4.

[3] Printed in Dyson's *Elizabethan Proclamations*, ff. 163–6. The Statutes referred to are 23 Henry VIII, c. 13 and 1 and 2 Philip and Mary c. 2.

[4] Agnes or Anne Bulkeley was the second wife of Sir Richard Bulkeley who died in 1572, to be succeeded in his estates by Richard Bulkeley, Esq., the defendant in the suit here mentioned. (Nicholas, *Annals of County Families of Wales*, 1872, i, 39). See Introd. pp. 32–3.

Richard Bulkeley Esq. or his heirs save in the Court of Exchequer, on pain of a fine of £200. to be levied of her goods, chattels, lands or tenements. *Witness— T. Saunders kt.,* At Westminster, 29th June, 1574.

Fanshawe.

fo. 95. The Queen's Majesty's Instructions were renewed [1] the 30th June 1574. The names of the Lord President and Council appointed by the same instructions.

ff. 91–3. *A Special Commission for Ecclesiastical Causes within the Diocese of Bristol and Gloucester.*[2] *[English.]*

Commission to Ambrose E. of Warwick, Robert E. of Leicester, Henry Sydney kt., President of the Council in the Marches of Wales, Richard Bishop of Gloucester and Commendatory of Bristol and to the Bishop[s] of the Diocese or Dioceses of Gloucester and Bristol henceforth, Henry L. Berkley, Giles L. Chandos, the Mayors of the Cities of Gloucester and Bristol, Gyeles Poole kt., Nicholas Poyntes kt., Lawrence Humffrey D.D., Dean of Gloucester Cathedral, Richard Green, Chancellor to the said Bishop[rics], the Archdeacon of Gloucester, the Chancellor to the said Bishop for the time being, Richard Pate, Richard Barkeley, Richard Beyneham, John Tracy, Henry Poole, Esqs., Thomas Pyrrye, John Angell, Clerk, for execution of the Acts of 1 Eliz. for Uniformity of Common Prayer and Administration of the Sacraments and for the restoration to the Crown of ecclesiatical estates. Commission to the above named or 3 of them to enquire of misdemeanours against these acts and of heretical opinions, seditious words, books etc. ; of acts committed in churches against any dogma, and of recusants, with authority to amend and redress the foregoing, to hear and determine such cases by fine or imprisonment ; to seek out vagrants etc., cases of assault and affrays, matrimonial and testamentary causes,with power to summon any one and to commit them to jail for non-appearance before the Commissioners until delivered by them. Power is also hereby given to take from any one recognizances to the Queen's use to what amount shall seem fit. Th[omas] Morgan is to be Register of the acts of the Commissioners with reasonable allowance as other Registers have,

[1] The use of the word 'renewed' is worthy of notice, confirming the view that these instructions were first issued in 1570 and not, as usually stated, in 1574. Clive (*Ludlow*, App., pp. 309–50) prints them in full from MS. Lansdowne 155. The list of members (pp. 310–11) is identical with that given in the Register save that it omits the names of Gerard, Rastell, Townshend and Seborne and a note of Rastell's death.

[2] A wider Ecclesiastical Commission for Wales of date 1579 is printed in Prothero, *Statutes and Constitutional Documents*, pp. 241–2.

to be levied of the fines. The Commissioners are also to appoint some apt person to be a receiver of fines, certifying his name to the Exchequer with a note of the fines levied. All Justices of the Peace, Sheriffs, Mayors, Bailiffs etc., are to aid the Commissioners in the execution of their work. By letters Patent, Gorhambury, 21 July 1574.

At Llanidloes, 26th August, 1574.

fo. 181v.

At which day Edward Herbert Esq. one of the plaintiffs, together with divers others of the Justices of Peace and gentry of the county of Montgomery, and the defendants undernamed 24 in number, and divers others of the freeholders and inhabitants of the same county, for themselves and the rest of the inhabitants there, appeared before the Right Worshipful Sir John Throckmorton Kt. one of the Council and Chief Justice of the county, before whom the matter in these copies of books annexed specified concerning the order taken by the Council touching the waste commons and mountains of the said county, the surcharging and overlaying of these wastes, the keeping of strangers' and foreigners' cattle upon them in the summer, and the rating of certain of the freeholders as to how many cattle they may keep, with other articles where with the said 24 defendants and divers other freeholders and inhabitants felt themselves aggrieved, was delivered to the said Chief Justice by virtue of the Queen's letters of commission issued from this Council after deliberate examination of the articles annexed by the defendants. Forasmuch as it seems to the said Chief Justice, as well by recital of the griefs of the defendants by their articles as by the voices of a great number of the Justices of the Peace, gentlemen, freeholders and other inhabitants who appeared at this day before him, that all freeholders, tenants and inhabitants of the said county, for the common wealth are contented to be restrained from taking Englishmen's cattle to [? pasture] and from keeping and 'somering' of foreigners' and strangers' cattle upon the said commons or waste in the summer otherwise than . . . [1]

At Ludlow, 3rd September, 1574.

fo. 84v.

Warrant to Mr. Phetiplace for his deputy.

Whereas the Queen's Majesty by letters patent has granted the office of Justice in the counties of Carmarthen, Pembroke and Cardigan to George Fetiplace Esq. one of this Council, to exercise that office himself, or in case he cannot by sickness or other just cause by

[1] The entry breaks off abruptly, leaving half a page blank. The 'order taken by the Council' is that of 25 Jan. 1574 (see above, p. 112) and the entries preceding it.

his deputy or deputies as appointed and nominated in writing by the Council. And whereas the said George Fetiplace has arranged to begin his circuit the 6th inst. to keep the Great Sessions in these counties ; and although he minds by God's help to travel and make the circuit himself, yet lest sickness or other just cause may prevent him now or at any other time, he has humbly requested the Lord President and Council to appoint a deputy, commending to them one Richard Stephens of Eastington in the county of Gloucester, learned in the laws. Therefore the Lord President and Council do by this order nominate and appoint the said Richard Stephens to act as deputy to George Fetiplace, to keep the Great Sessions, this order being sufficient warrant for his appointment.

H. Sydney, James Crofte, Jo*hn* Throckmorton, William Gerrard, C. Foxe, Tho*mas* Towneshend, Richard Pates.

[*Signet Letter.*]

By the Queen.

fo. 96. Admittance of Sir John Parett and John Price to be of the Council.

To our trusty and well beloved Sir Henry Sydney. Whereas in our Instructions to you we omitted in the nomination of our Council for the Marches, John Pryce our Attorney for the Marches who by previous Instructions has been accepted for a Councillor amongst you. And further considering that Sir John Parett [Perrot] kt. for his wisdom experience and good and faithful service of late in the charge committed to him in Ireland as well as for his livelihood and abode in those parts, is a very meet man to be of our Council in the Marches. These are to let you know that we have appointed both these to be Councillors there with the others named in the last instructions. And therefore require you not only to receive them but [to give] them oath accordingly, this letter being sufficient authority for you. Given under our Signet at our Manor of Oatlands, 30th September, 1574.

[*Letter from the Privy Council.*][1]

fo. 86. A restraint from carrying of Corn and Victuals over seas.

To the L. President or Vice-president and Council. Where this last year on understanding of the great scarcity of all manner of grain, butter, cheese and other victuals and the excessive prices likely to grow through their transportation, you were

[1] The Privy Council met on 12th October 1574, but there is no record of such a letter. There was however considerable activity in this matter on the part of the Privy Council, grants of exemptions from its regulations thereupon, nominations of fresh commissioners, acknowledgments of the monthly reports sent in by the commissioners and notices of the infraction of the law on the subject, occurring very frequently in their proceedings (see *A.P.C.*, viii, 1571–5 *passim*). There is a second copy of this letter in the Register, ff. 90^{v}–91, showing, if proof other than that of change of hand were needed, that more than one person was accustomed to copy into the Register.

charged to see that none of these victuals should be suffered to pass the sea without special direction from us. Forasmuch as it is found that the greediness of some evil disposed persons without any charitable respect to the sustentation of their poor neighbours does daily carry out such quantities of grain and other victuals that the prices are marvellously enhanced and great scarcity likely to grow if their doings be not prevented, Her Majesty, minding ere long to direct further Commission for that end, has commanded us meanwhile to write unto you who were formerly charged with this matter, that you shall forthwith give order in all parts within that county to continue the said restraint until you shall receive further direction. From Hampton Court, 12th October, 1574.

Your loving friends,

N. Bacon, C.S., W. Burghley, T. Sussex, Arundell, A. Warwick, R. Leycester, Fra*ncis* Walsyngham.

Postscript—We think it good and will that you should forthwith give order that all licenses for Badgers be revoked in that county and no Badgers suffered there.

At Shrewsbury, 10th November, 1574.

fo. 86v.

Transportation of Corn and Victuals.

Forasmuch as the Queen intends to direct commissions into the juirisdiction of the Council as there have been into sundry counties for the restraint of the transportation of victuals ; and as the Privy Council has sent a minute in that behalf to the Council. It is therefore ordered that letters rehearsing the premises, together with a copy of the minute, be sent to the Sheriffs and Justices of the Peace of the counties undermentioned, requiring them to publish and observe the same until further directions are received. Counties :—Salop, Gloucester, Worcester, Hereford, Monmouth ; the 12 shires of Wales.

W. Gerrarde.

[*Letter from the Privy Council.*]

Touching Tanners. This letter is answered after [being] registered.

To the Lord President or Vice-president and Council. Upon consultation for the better observance of the good laws already made for the true and sufficient tanning of leather, having had before us for that purpose some of the most skilful of that science about the City of London, it has been thought meet that bonds should be taken of all keepers of tanning houses for the performance of the laws. Such bonds have been taken in and about the city of London but it is thought the intended redress will not be obtained unless the same order be generally applied. Therefore sending your lordships a form of a bond with its conditions, we require

you forthwith to take order with the Justices of the Peace in all your counties and corporations that every owner and occupier of a tanning house may enter into bonds of £40 to Her Majesty's use for the due performance of the said ordinances. If any one refuse to give such bond your Lordships or the Justices shall give us his name and address and assign him a day to appear before us. The bonds you take shall be sent into the Exchequer there to be kept for forfeiture in case of default. From Hampton Court, 7th November 1574.[1]

For making the bonds in parchment your lordships shall see that not more than 4*d.* or 6*d.* is charged. Your loving friends,

W. Burghley, E. Lyncoln, T. Sussex, Arundell, F. Bedforde, F. Knollys, James Crofte, Fra*ncis* Walsyngham, Wa*lter* Myldmay.

[*Letter to the Council.*][2]

fo. 87 To my very loving friends Her Majesty's Council in the Marches of Wales there resident. After my very hearty commendations. Herewith you shall receive a letter addressed from the Lords to me, and in mine absence to you which I pray you consider of and according to the effect thereof I desire you cause order to be taken in all the Counties and Corporations withn the authority of our commission. That like as the same is intended for the redress of divers abuses and so consequently for the benefit of the country and public so that we within our charge be not found negligent to put our helping hand to the furthering of so good an art. Whereof I doubt not but you will have care that the order and form prescribed be in all points observed as is by their Lordships required. And evenso I bid you heartily farewell. From Hampton Court, 18th November, 1574.

Your loving friend, H. Sydney.

At Shrewsbury,[3] *24th November,* 1574.

fo.87v.–88 Tanners. Upon receipt of the letters annexed from the Lords of the Privy Council, and as the Council has made choice of the persons named in

[1] There is no record of such a letter being sent or ordered on 7th Nov. though the Privy Council met on that day. But on the 15th Nov. (*A.P.C.*, viii, 314) 'the letters for bonds to be taken of tanners were sent forth . . . with certain postscripta.' It seems probable that the scribe copied vii for xv. And Sydney would hardly delay 13 days before sending on the letter.

[2] In full, modernized spelling.

[3] A note in a Shrewsbury chronicle informs us that 'In this year (1574–5) the Council of the Marches came to Shrewsbury and there tarried the full end of one term, to say Michaelmas term, and were minded to stay the winter but were commanded by the Queen's Majesty to remove to Bewdley' (*Early Chronicles of Shrewsbury*, ed. Leighton, Trans. Shrop. Arch. and Nat. Hist. Soc., p. 274).

the accompanying schedule to see to the execution of the orders contained in those letters it is therefore ordered that letters rehearsing the tenor of the said letters be sent to the gentlemen named in the schedule, commanding them to assemble and call before them in their several charges all the owners and occupiers of tanning houses and severally to bind each of them by bond of £40. If any refuse to give bond the Commissioners are to send his name and address to the Council appointing him a day (before the 20th January) to appear before them that he may be sent up to the Privy Council. The bonds likewise are to be sent up to this Council before the 20th January (without impairing the seals) that they may be forwarded to the Court of the Exchequer. Not more than 4*d.* shall be taken for the making of each bond.

John Throck*morton*, C. Foxe, Elis Price.

[*List of those appointed.*]

The County of Salop :—The Sheriff, Sir Andrew Corbet, Sir Arthur Manwaring kts., Charles Foxe, Edward Leighton, William Leighton, Symon Kemsey, Esqs. ;—or any two of them. fo. 88.

Town of Salop :—The Bailiffs, Richard Mytten Esq., Thomas Sherer gent., and every of them.

Ludlow :—The Bailiffs, Charles Foxe Esq., Thomas Blasshfield gent., and every of them.

Bridgenorth :—The Bailiffs, John Heyward gent. ; and every of them.

Wenlock :—The Bailiffs, Rowland Lacon, Fraunces Lawley, Esqs. ; and every of them.

Oswestry (Oswester) :—The Bailiffs, Thomas Powell Esq. ; and every of them.

Bishopscastle :—The Bailiffs, Symon Kemsey Esq., Mathew Lloyd gent. ; *ibid.*

Clun :—The Bailiffs, Symon Kemsey, Charles Walcot, Thomas Clonn, Esqs. ; *ibid.*

The County of Hereford :—The Sheriff, John [Scory] Bishop of Hereford, Richard Seborn, John Baskervile, George Parry, Esqs. ; *ibid.*

City of Hereford :—The Mayor, Gregory Price, James Warnecombe, James Boyle, Esqs. ; *ibid.*

Leominster (Leompster) :—The Bailiffs, James Warnecombe, Ed*ward* Crofte, Esqs. ; *ibid.*

The County of Gloucester :—The Sheriff, Sir Nicholas Arnold, Sir Giles Poole, Sir John Tracie, Sir Richard Barkley, kts., Thomas Smyth, George Huntley, Esqs.

City of Gloucester :—The Mayor, Sir Nicholas Arnold kt.,

Richard Pates Esq., two of this Council and every of t'em.

The County of Worcester :—The Sheriff, Nicholas [Bullingham] Bishop of Worcester, Sir John Littleton kt., Raulf Shelden, Fraunces Wolfe, John Foliot, Esqs. ; and every of them.

fo. 89. Town of Evesham (Eysham) :—The Bailiffs, Henry Dingley Esq. ; *ibid.*

City of Worcester :—The Bailiffs, Rolland Steyner, Thomas Flete ; *ibid.*

The County of Monmouth :—The Sheriff, Sir Charles Somerset, Sir Thomas Herbert, Sir William Morgan, kts., William Morgan of Llantarnam Esq. ; *ibid.*

Town of Monmouth :—The Mayor, Sir Thomas Herbert kt.

Caerleon :—The Mayor, William Morgan of Llantarnam Esq. ; *ibid.*

Usk :—The Bailiffs, Roger Williams Esq.[1] ; *ibid.*

Abergavenny :—The Bailiffs, William Herbert of Coldbrook Esq. ; *ibid.*

Newport :—The Mayor, Myles Morgan Esq. ; *ibid.*

Chepstow :—Sir Charles Somerset kt., Steward, the Bailiffs.

The County of Pembroke : — The Sheriff, Sir John Perrot kt., John Wogan of Boulston, Alban Stepneth, Esqs. ; *ibid.*

Town and County of Haverfordwest :—The Mayor, John Voyle, John Davies, Esqs. ; *ibid.*

Tenby :—The Mayor, James Barret, Erasmus Saunders, Esqs.

The County of Carmarthen :—The Sheriff, the Bishop of St. David's [Richard Davyes], Sir Henry Jones kt., Gruffydd Rees, Thomas Vaughan, Esqs.

Town of Carmarthen :—The Mayor, the Bishop of St. David's, William Davies Esq. ; *ibid.*

The County of Cardigan :—The Sheriff, John Price, John Powell, Rees David ap Jenkins, Thomas Revell, Esqs. ; *ibid.*

fo. 89v. Town of Aberystwyth :—The Mayor, John Price Esq. ; and either of them.

The County of Glamorgan :—The Sheriff, Sir Edward Manxell, Sir Edward Stradling, kts., William Herbert of Swansea, Leyson Price, Esqs. ; and every of them.

Cardiff :—The Bailiffs, William Herbert the elder Esq. ; *ibid.*

Swansea :—The Portreeve, William Herbert of Swansea Esq. ; and either of them.

Cowbridge :—The Mayor and Bailiffs, Anthony Manxell Esq. ; and every of them.

The County of Brecknock :—The Sheriff, William Games, Richard Price, Edward Herbert, Esqs., Thomas Huet Clerk ; *ibid.*

[1] The name of William Herbert of Coldbrook is scored through, that of Roger Williams being underwritten.

Town of Brecknock :—The Bailiffs, Richard Price Esq. ; and either of them.

The County of Radnor :—The Sheriff, John Bradshawe, Thomas Lewis, Edward Price, John Price, Esqs. ; and every of them.

Town of New Radnor :—The Bailiffs, Thomas Lewis Esq., or either of them.

The County of Montgomery :—The Sheriff, Edward Herbert, John Price, David Lloyd Jenkin, David Lloyd Blayney, Robert Myddelton, Esqs. ; and every of them.

Town of Montgomery :—The Bailiffs, Edward Herbert Esq.

Town of Welshpool (Poole) :—The Bailiffs, John Herbert Esq. ; and every of them.

Newtown :—The Bailiffs, John Price, Esq. ; and either of them.

Llanidloes :—The Mayor, David Lloyd Jenkins, Esq. ; *ibid.*

The County of Denbigh :—The Sheriff, Ellis Price, John Edwards, Robert Pulesby, John Salusbery of Rug, Esqs. ; and every of them.

Town of Denbigh :—The Aldermen, Foulk Lloyd, Esq. ; *ibid.*

Town of Ruthin :—The Bailiffs, Symon Thelwall, Thomas Moris, Esqs. ; *ibid.*

The County of Flint :—The Sheriff, William Mosten, Roger Pulesby, John Hanmer, John Gryffydd, Esqs. ; *ibid.*

Town of Flint :—The Bailiffs, William Mosten the younger Esq., *ibid.*

The County of Anglesey :—The Sheriff, Richard Bulkeley, William Lewis, Owen Woodd, Maurice Gryffydd, Esqs. ; *ibid.*

Town of Beaumaris (Bewmarreis) :—The Mayor, Rollande Kenrik gent.

The County of Carnarvon :—The Sheriff, the Bishop of Bangor [Nicholas Robinson], Sir Rees Gryffydd, kt., Maurice Wyn, John ap Hugh, Esqs. ; *ibid.*

Town of Carnarvon :—The Bailiffs, William Gryffydd Esq. ; *ibid.*

The County of Merioneth :—The Sheriff, Ellis Price, John Owen, Res Hughes, Owen Wyn, Esqs. ; *ibid.*

John Throck*morton*, C. Foxe, Elis Price.

[*Part of a letter to the Privy Council.*]

It may like your Honours to understand, that upon receipt fo. 95ᵛ. of your letters of 7th November for taking bonds of the tanners within our commission, we awarded process for their appearance and for those who appeared and consented we have taken bonds, ordering those who refused, to appear before you this next term of Easter. Their names and the counties

where they live are contained in the enclosed schedule. Against those who refused to appear we have sent out further process. We enclose also a petition exhibited to us by the tanners with certain articles. And as it did not lie with us to take order in the matter and as we conceived your Honours would mislike the appearance of so large a number as we perceived were determined to repair to your [lordships][1] . . .

[*Letter from the Exchequer.*][2]

fo. 93v. This Writ of Inhibition is before registered.

Whereas Her Majesty's Court of Exchequer lately awarded Her Highness writ to you to inhibit you from proceeding in a suit or complaint brought before you by Dame Agnes Bulkeley widow, against Richard Bulkeley Esq. one of Her Majesty's gentlemen pensioners and farmers, for and touching the manor of Galfrogwye (Co. Anglesey) and other lands and goods in his occupation by lease of years yet to run made by the Queen and by King Henry VIII, for the suit to be tried in the Exchequer because Her Majesty has the reversion and rent and the said Mr. Bulkeley is privileged there being Her Majesty's farmer of lands within the order of that Court as by the writ delivered to you may appear. Nevertheless you have proceeded in the suit, ordering that unless the said Mr. Bulkeley appears before you in person or by attorney on the 29th inst. you will hear and determine the suit in his absence, which being true gives occasion to think you will not allow the Writ of the Court of Exchequer either because you think that Court has no authority to award it, or because the writ is defective in matter or form. If the first, you are to consider that the Court of Exchequer has large authority and privilege for Her Majesty's revenues and farms ; if the second, it is unfitting that a gentleman should take hurt by the fault of a clerk. Therefore reason requires, and so do we, that you should write to us and to the Court of Exchequer explaining why you have not allowed the writ, of which consideration shall be taken of the law of that Court and the result forwarded to you to follow accordingly. In the meantime forbear to proceed in the suit ; and so may both you and the Exchequer be satisfied and no derogation done to either Court, or wrong to either party. From London, 15 January 1575. Your lordships' assured loving friends,

Touching the jurisdiction of the Exchequer and the Court of the Council in the Marches of Wales.

W. Burghley, Wa*lter* Myldemay.

[1] The entry breaks off abruptly here, leaving half a page blank. Date, signatures and address are missing. The letter was probably written, however, early in 1575 as the returns mentioned were ordered to be in the hands of the Council before 20th January 1575. But its obvious connection with the documents it follows makes it best placed here.

[2] See above, p. 119.

[*The Answer of the Council.*]

To the Right Hon. the L. Treasurer of England and Sir Walter Myldmay kt., Chancellor of Her Majesty's Court of Exchequer. Our duties to your Honours humbly considered. Whereas in your letter of 15th January last you reminded us that by the writ of the Court of Exchequer delivered to us in October last we were inhibited from further proceeding in a suit depending before us, between Dame Agnes Bulkeley widow and Richard Bulkeley Esq., and that (this writ notwithstanding) we were proceeding with the case, whereby your Honours conceived that we so proceeded either because we did not allow the writ, or regarded it as faulty, willing us to send answer. fo. 94–94v.

Whereunto may it please your Honours to understand that amongst Her Majesty's Instructions to us is one specially recommending our hearing and determining all suits exhibited by poor or distressed persons unable to try the Common Law, and therefore we could not deny calling Mr. Bulkeley before us to answer the complaint of Dame Agnes Bulkeley whose poverty and inability to reckon her right against him by order of the Common Law is well known to us. Upon Mr. Bulkeley's answer we have proceeded since the exhibiting of the complaint in September, now 12 months and more ago; after publication granted in Trinity Term last we gave day for the hearing in November. And forasmuch as all this time it was never moved to this Court on behalf of Mr. Bulkeley to have the case removed to the Court of Exchequer, nor were we given to understand that by it any of Her Majesty's lands or possessions could be touched, Mr. Bulkeley only making suit that in respect of his attendance we would commit the case to any 4 learned [*r* counsel],[1] 2 named by either party. And, as the charges sustained by the complainant's friends (who grew weary of it) were great and the suit was delayed by the thwarting of Mr. Bulkeley, and as we perceive that Her Majesty could not in any wise be prejudiced by our proceedings—as whoever wins must be Her Majesty's farmer—and as, upon consideration, we were fully resolved that the obtaining of the writ of inhibition was only a device to delay the suit; and as we were persuaded that the recognition of this writ (the first in our remembrance of such a nature) would be a precedent for all the Queen's farmers to claim like privileges on any suit preferred against them although Her Majesty's possessions should not come in question, whereby great inconvenience would ensue; and as we thought our proceedings not prejudicial to the Court of Exchequer, this court being authorised by act of Parliament to proceed in such causes, as your honours well know— Therefore in discharge of our duties, in furtherance of Justice, removal of delays

[1] Written in by another hand.

and maintenance of the authority of this Court, we took order in Mr. Bulkeley's absence to have heard the matter this term. And upon receipt of your letters we have continued hearing the matter until Trinity Term and have persuaded the poor complainant to assent to Mr. Bulkeley's motion—which is in Easter term next to have 2 learned [counsel] for her to deal with 2 other learned [counsel] named by the said Mr. Bulkeley upon the books and witnesses in this Court and to stand to what order they pronounce. If they cannot agree she is pleased (provided Mr. Bulkeley will do the like) to enter into bonds to stand to your Honours' order. As Mr. Bulkeley's servant has agreed to make his master privy to these conditions and advise the complainant before the 20th March, we request your Honours to take some time to hear and order it, as her friends are so wearied with expenses that they are not minded to begin a fresh suit. And we doubt not but that your Honours, on hearing this, will rather approve of than mislike our proceeding. And if we hear from you that in law such a writ ought to stay our hands (our authority and warrant notwithstanding) you will not henceforth find in us any want of conformity, well hoping that your Honours will not mislike this our defending that authority by which we here serve and attend. From Bewdley, 5th February, 1575.

H. Sydney, J*ohn* Throckmorton, William Gerrard, Charles Foxe.

[*Letter from the Exchequer.*][1]

f. 114. For Proceeding in a cause the Queen's Majesty's title not being prejudiced.

Whereas we before wrote to you requiring you to cease proceedings in any case where either of the parties were tenants of Her Majesty because the trial of such cases most specially appertains to the Court of Her Majesty's Exchequer; and thereupon (we are informed) you have forborne accordingly, as appears by the petition of the bearer Brian Webbe for himself and one Elizabeth Petoe who had a matter depending before you concerning their right to a certain tenement with the appurtenances, part of the manor of Leintwardine [Co. Hereford] by copy of Court Roll, and two acres of land in Nether Lye [Netherey], to which one Roger ap Howell pretended title and gave them cause of suit. Whereupon the parties came to issue and because of our former letters were dismissed without trial. The said Webb in his petition begged that as on account of his poverty he was unable to prosecute the suit further here the matter being so far forward as it is with you it might be proceeded with by you. We considering his suit and the fact that whichever party wins Her Majesty's inheritance will not be prejudiced have thought good our former letters to the contrary

[1] Cf. above, p. 128.

notwithstanding, to [desire you to] proceed in this special case as if the said letters had not been written to you, which will we think content both parties. From Hampton Court, 10 June 1575.

Your lordships' assured friends,

W. Burghley, W. Mildmay.

[*Letter from the Privy Council.*]

To Sir Henry Sydney or in his absence the Vice-president and Council. After our very hearty commendations. We send you herein enclosed the minute of a letter which Her Majesty desires we should send to the Custos Rotulorum of each shire. And as we have already sent the rest, so we have thought good also to require your lordships to give knowledge thereof to every Custos Rotulorum within your jurisdiction, straightly charging them to return to you as speedily as conveniently may be, a true certificate which we shall desire you to send to us as soon as they shall come to your hands. fo. 96v.

From Hatfield, 13th June, 1575. Your lordships' loving friends,

W. Burghley, R. Leycester, F. Knollys, James Croft, T. Smyth, Fra*ncis* Walsyngham.

[*General letter from the Privy Council.*][1]

After our hearty Commendations. The Queen's pleasure is for certain good considerations that forthwith upon the receipt of this letter you send unto us a true certificate containing particularly the number and names of all the Hundreds within that county ; and also of the ordinary and accustomed divisions used by the Justices of the Peace, as well within liberties as without, with the number and names of all the Justices of the Peace as are commonly resident and serve within those divisions of the county, together with the number and names of the Coroners and Clerks of the Peace or their deputies. Whereof we require you not to fail. From Hatfield, 13th June 1575. fo. 96v.

W. Burghley, R. Leycester, F. Knollys, James Crofte, T. Smyth.

Postscript. If in any Hundred there are no resident Justices of the Peace, you shall certify the nearest Hundred where any reside. Also in the certificate place the Hundreds as they lie together and adjoining.

[1] *A.P.C.*, viii, 398, 13 June, 1575, 'Letters to the Custodes Rotulorum of every shire for certifying of the Hundreds, Divisions and names of the Justices of the Peace, Coroners and Clerks of the Peace, according to the minute remaining.'

At Hereford, 20th June, 1575.

fo. 96v. Whereas the Council has received letters from Her Majesty's Privy Council, requiring it to send their instructions to the Custos Rotulorum of each county, therefore letters reciting the orders of the Privy Council are to be sent to each of the following gentlemen, Custodes Rotulorm of the counties undernamed, requiring them after consideration of the contents, with all speed to send to the Council a certificate of the matters whereon information is required, letting them know that if the Council do not receive the certificate within six days after the receipt of the letter, the default of the Custodes shall be certified and they themselves called before the Council to answer for it.

W. Gerrard, John Price.

Anglesey :—Richard Buckley Esq.
Carnarvon :—Mores Win Esq.
Merioneth :—Ellys Prees Esq. Doctor of Law and one of this Council.
Montgomery :—Edward Herbert Esq.
Denbigh :—Jevan Lloid of Yale, Esq.
Flint :—John Gruffyth Esq.
Pembroke :—John Parrot kt. and one of this Council.
Carmarthen :—Harrye Jones kt.
Cardigan :—John Prees Esq.
Brecknock :—Richard Prees Esq.
Radnor :—William Fowler Esq.
Monmouth :—Thomas Morgan of Machen Esq.
Glamorgan :—Thomas Lewes Esq.[1]

Certificates of the Limits and Divisions with the names of the Justices of the Peace in the 12 shires of Wales and the County of Monmouth:

Denbigh :—Right Honourable may it please your lordships. Whereas I received the Queen's and your letters with a minute enclosed from Her Majesty's Council, on the 26th June, this is to certify that there are in this county six Hundreds :—Isaled, Isdulas, Ruthin, Yale, Bromfield, and Chirk. Also that the Justices of the Peace have been wont, for commissions and other purposes, to divide the Hundreds as follows[2] :— For the Hundreds of Isaled, Isdulas and Ruthin—such Justices as were resident ; and the same for the other three Hundreds. There are 17 Justices of the Peace resident and 'commorant' within the county, viz :—

In the Hundred of Isaled—Ellis Price, Doctor of Law, Ffoulkes Lloyd.

[1] William Herbert written and scored through.
[2] The certificate for Denbigh breaks off abruptly here, but is given again in full on fo. 110v.

In the Hundred of Isdulas—Peers Owen, William Holland.
" " " Ruthin—Symon Thellwall, John Price of Derwen and Thomas Morice.
" " " Yale—Jevan Lloyd.
" " " Bromfield—John Price of Eglwysegle, Robert Puleston, Edward Hughes, William Almour, Owen Brereton, Edward Jones.
" " " Chirk—John Edwards, Hugh ap Hugh.

There are Two Coroners, one Foulk Gruffydd in the Hundred of Isaled, the other, John Contley in the Hundred of Bromfield.

The Clerk of the Peace, John Challoner, exercises the office himself and not by deputy.

The Shire town of Denbigh has by common election every Michaelmas Day the choosing of two Aldermen and two Coroners who are for that year Justices of the Peace, keeping their General Sessions within their liberties as the other Justices in the county. The names of the Aldermen and Coroners for this year are Robert Salisbury and William Clough, Aldermen ; John Lloid and William Knowlles Coroners. The Clerk of the Peace in the town is John Challoner exercising the office himself.

Denbigh, 27th June 1575. Your lordships most humbly to command. Jevan Lloid.

Anglesey :—Right Honourable etc. In the absence of Richard Bulckley Esq. *Custos Rotulorum*, the Queen's and your letters were delivered to me John Bulckley Clerk of the Peace, on the 27th June late in the evening, by John Barlow who informed me that in the absence of the Custos Rotulorum, I must read and make certificate of the particulars (enumerated) required. Wherefore it may please your lordships to understand.— fo. 98.

There are six Hundreds in the County of Anglesey, viz :—Tyndaethwy, Menai, Malltraeth, Llyfon, Twrcelyn, Tal-y-Bolion.

The following Justices are commonly resident : Within the Hundreds of :—Tyndaethwy, (E. corner of the shire) :—Richard Bulckley who is one half of the year or more absent attending upon the Queen's person, Richard Owen Theoder, Esqs.

Menai (southward of Tyndaethwy) :—Lewes ap Owen ap Meirick, Moris Gruffith of Porthamet (Porthamall), Owen Woodd, Rowland Bulckley of Porthamet, Rowland Meredydd Esqs.

Malltraeth (next Menai in the south) :—Owen ap Hugh Esq.

Llyfon (adjoining Malltraeth on the south-west).

Tal-y-Bolion (touching Llyfon on the west) :—none.

Twrcelyn (north and north-west of Tal-y-Bolion) :—none ; it is joined to the hundreds of Tyndaethwy and Menai which it adjoins.

For the execution of the statutes concerning Labourers and Servants the Justices divide themselves and the county into two parts :—The Hundreds of Twrcelyn, Tyndaethwy and Menai are allotted to Richard Bulckley, Moris Gruffith, Lewes ap Owen ap Meirick and Rowland ap Meredydd, Esqs.

The Hundreds of Malltraeth, Llyfon and Tal-y-Bolion are allotted to William Lewes, Owen Woodd and Owen ap Hugh. Yet notwithstanding they mutually serve throughout all the said Hundreds according as complaint is brought to them.

There are two Coroners—Owen ap Robert Owen in Twrcelyn, David lloid ap Owen in Tyndaethwy—and one Clerk I myself whose name is John Bulckley ; deputies at this present I know not.

There is also a borough town of Beaumaris within which the Justices of the Peace for the county have nothing to intermeddle. The burgesses affirm that their Mayor, Recorder and Bailiffs are Justices during their year of office. This year the said Richard Owen Theoder is both Mayor and Recorder ; the Bailiffs are William Hampton and Thomas Jevan gent. The Coroner, William Sparowe this year, is yearly chosen by the greater part of 24 chief burgesses who have as they say the government of the said town. The town Clerk is Rowland Kenrick.

So omitting by prolixity to be tedious, your lordships' humbly to command,

John Bulckley. Beaumaris, 28 June, 1575.

Carnarvon. Maurice Wynne,[1] Custos Rotulorum, to the Council, I have received the letters of the Queen and of the Council and forward a certificate containing the required particulars. From my house at Gwydir, 29th June 1575.

Certificate of Hundreds and Justices resident and allotted to them.

N.B. The number of the Hundreds is nine ' in some aspects of service ' and in others ten. The total number of Justices resident is 17.

Commitmaen (Kymyttmaen) :—John Gruffyth de Llyne, Rowland ap Robert.

Dinllaen, containing the town and liberty of Nevin :—Richard Vaughan, Hugh Gwynne, Thomas Madryn.

Cafflogion, containing the town and liberty of Pwllheli :—John Wyn ap Hughe.

[1] The name of Maurice Wynne of Gwydir is given in Table III in Sir John Wynne's *History of the Gwydir Family*, ed. 1878, p. 48. Sir John was his eldest son.

Eifionydd, containing the town of Criccieth :—William Moris.

These four hundreds are limited and appointed to the above named justices.

Uwch-gorfai :—William Glyn Esq., Nycholas Bishop of Bangor, Rowland Thomas, Doctor of Law, William Thomas Esq.

Isgorfai, containing the town and liberty of Carnarvon :—Sir Rees Gruffyth kt.

Uchaf :—William Williams, Robert Owen, Esqs.

Rowland Puleston now sheriff is also a justice in this division. William Williams, Robert Owen and William Thomas, Esqs. are late come in commission.

Isaf and Creuddyn containing the town and liberty of Conway :—Edward Williams, Richard Moston, Esqs.

Nant Conway and parish of Beddgelert :—Moris Wynne, Robert Wynne, Esqs.

Doctor Gwyn now deceased and Gruffyth Davies now for age left out, were formerly in the commission for this division.

Coroners :—Cadder ap Meredydd and Moris David John, Esqs.

Clerk of the Peace :—John Wynne de Gwider.

Under Clerk or Deputy :—Moris Jones.

By me Moris Gwynn, Custos Rotulorum.

Merioneth. Ellis Price to the Council. I have received the letters of the Queen and the Council this present 29th day of June very late in the evening. I have drawn up and enclose a certificate as required. From my poor house in North Wales, 29th June 1575. ff. 100v–101.

Certificate : Divisions of the Shire and Resident Justices :—[1]

Edernion :—Edmond Meirick, Doctor of Law.

Penllyn :—John Wyn ap Cadder, Robert Vaughan, Esqs.

Ardudwy :—Rees Vaughan, John Lewes, Esqs.

Talybont :—John Owen Esq.

Estimaner :—John Vaughan, Rees Hughes, Hugh Owen, Esqs.

Mawddwy (Mowthwey) :—Jevan Lloid ap David ap John.

The Justices resident in the first two hundreds are allotted to serve there. The remaining hundreds are served by the other Justices. And I, Ellis Price, dwelling on the border of the county though in Denbigh, serve in either of these limits as occasion arises.

Coroners :—Humphrey Stanley, Morgan ap Robert, gents.

Clerk of the Peace :—Edward Johns.

There are no towns that claim any great liberties within the

[1] The *Report of the Commission on Welsh Lands* gives but five Hundreds in Merioneth, Talybont and Mawddwy together forming one Hundred.

said county but that the Justices of Peace may and do use and execute their said offices of peace within the same.

ff. 101v–103. *Radnor.* William Fowler, Custos Rotulorum, to the Council. I received your and the Queen's letters on the 25th June in the evening by the hand of Francis Owen and I enclose certificate in answer to their tenor. At my poor house, 26th June, 1575.

Certificate of Hundreds and Justices resident (Six Hundreds, sixteen Justices) :—

Radnor :—In the Hundred—Thomas Lewes, John Bradshawe, Evan Lewes, John Bedowes, Lewes Lloid, Robert Vaughan, Esqs. Without the Hundred but near adjoining—John Price, Edward Price, Esqs. Without the Hundred—William Fowler, Thomas Huet, Morgan Meredydd, Esqs.

Painscąstle :—Within—Thomas Witney Esq.
Without but near—Thomas Lewes, Jevan Lewes, Esqs.
Without—John Bradshawe.

Colwyn (Colowyn) :—Within—Thomas Lewis Esq.
Without but near—Jevan Lewes, Thomas Whytney, Esqs.
Without—Thomas Huet, Clerk, John Bradshaw Esq.

Rhayader :—Within—David Lloid Meredydd, Moris Pryce, Esqs.
Without but near—William Fowler Esq., Thomas Huet, Clerk, Owen Philippes Esq.
Without—John Price, Morgan Meredydd, Henry Stanley, Esqs.

Knighton :—Within—William Fowler, Edward Price, Morgan Meredydd, Owen Philippes, Esqs.
Without but near—John Price, Henry Stanley, Esqs.

Cefnllys (Kevenllce) :—Within—John Price, Henry Stanley, Esqs.
Without but near—William Fowler, Owen Philippes, Esqs.
Without—Thomas Huet, Clerk.

Coroners :—Thomas Vaughan, Esq., James Powell, gent.

Clerk of the Peace :—John ap Owen, having no deputy.

Monmouth.[1] Certificate of Rowland Morgan,[2] Custos Rotulorum. Hundreds and Justices appointed to and resident therein :—

[1] No letter. In the *Report of the Commission on Lands in Wales and Monmouth*, there are said to be six Hundreds in this shire, Wentllog appearing instead of Newport and Treleck.

[2] The list on p. 132 gives *Thomas* Morgan as the Custos Rotulorum for Monmouth.

Caldicott :—William Morgan kt., William Lewes, Christopher Welshe, Thomas Watkins.

Newport :—Rowland Morgan, Thomas Morgan, Edmond Morgan.

Usk :—William Morgan of Llantarnam.

Abergavenny :—William Herbert of Coldbrook.

Skenfrith :—Thomas Herbert kt., Harry Herbert Esq.

Raglan :—Walter Jones Esq.

Treleck (Trelegge) :—George ap Robert Esq.

To these three Hundreds also are limited Rees Morgan, Mathewe Herbert and William John ap Roger, dwelling in the hundred of Abergavenny.

Also :—The Rt. Honourable William the Earl of Worcester, Edward Lord Herbert, Charles Somerset kt. resident in the shire do commonly lie at the castle of Raglan in the Hundred of Raglan.

William [Blethin] Bishop of Llandaff lies at his lordship of Malhern in the Hundred of Caldicott.

David Lewes Doctor of Law doth lie at his abode in Abergavenny in the Hundred of Abergavenny.

Coroners :—William David ap John, William Cocke gent ; no deputies.

Clerk of the Peace :—John Waters ; no deputy.

Brecknock : The Custos Rotulorum to the Council : As I received the Queen's letters with the minute of the Privy Council and your lordship's letter on the 30th June, ordering me to make certificate as required within 6 days to your honours, I have to the best of my ability, compiled a schedule of the particulars demanded. I commit the same to the tuition of Almighty God. Brecknock, 4th July, the 5th day after the receipt of the said letters. ff. 105–6.

Richard Pryce.

Certificate.

Names of the Hundreds with those of the Justices of the Peace resident in and allotted thereto. (Six Hundreds, Fourteen Justices.)

Devynnock :—Resident—William Games, John Games.

Merthyr :—Dwelling near thereunto—William Games, Richard Price, John Games.

Builth :—Resident—Thomas Huit, clerk, Owen ap Jevan Bedo.

Talgarth :—Thomas Vaughan, resident at times in this shire, at times in Herefordshire, at times in Gloucestershire ; John Games, William Watkins, lately resident there but now for the most part in Pembrokeshire.

Mem. No Justice of Peace is now resident in this hundred, those dwelling nearest are Thomas Vaughan, John Wallbief and Richard Price.

Crickhowell : Resident—Edward Herbert, Harry Vaughan, William Vaughan.

Penkelly : Resident :—John Wallbief, John Awbrey, but the latter has remained in London since his late coming to the Commission of the Peace.

Dwelling near thereunto—Richard Price, William Watkins. Charles Walcott and James Gomond are Justices of the Peace but do not dwell in the shire at all.

The town of Brecknock is a liberty exempted from the government of the Justices of Peace of the Shire and has Justices of Peace within itself, by points of Charter, viz. :—the Bailiff, Jevan Jones ; the two aldermen, Meredydd Thomas and Philippe Havarde, and the Recorder, Thrustian Barton gent.

Coroners :—Watkin Lloid, William Goche ; no deputies.

Clerk of the Peace :—John Winter ; no deputy.

fo. 106v. *Cardigan.* Custos Rotulorum to the Council. Whereas I received the Queen's Majesty's letters and yours the 2nd July, I enclose certificate or the tenor of the particulars therein required. From Gogerddan, 3rd July 1575. Your lordships' at further commandment,

John Pryce.

Certificate : Names of Hundreds [1] and Justices serving and resident there :

Llanbadarn, being the least of all—John Price.

Llan-Ilar, twice as big—Moris ap Rice, Thomas Gwyn.

Penarth, about the size of Llanbadarn—John Stedman, David Jevan Lloid Vaughan.

Moddyn (Castle Moithin), bigger than Llan-Ilar—Hugh Llewellyn Lloid, Morgan Lloid.

Tredegar, less than Moyddyn—John Powell, John Lloid.

Coroners :—Moris ap Richard, Thomas ap Harry gent., who is also clerk of the Peace.

ff. 107–108. *Carmarthen.* Custos Rotulorum to the Council. I received the Queen's Majesty's letters and yours on the 27th June and I have thought it good and my bounden duty to send you certificate in accordance with their requirements for further therein to be done as to your honours approved wisdom shall be thought meet and convenient, as knoweth God who preserve the same

[1] The Hundreds given in the *Report on Welsh Lands* are Geneu'r-Glyn, Ilar (Upper), Ilar (Lower), Moyddyn, Penarth, Troedyraur.

in health. From Abermarles, 29th June, 1575. Your lordships' humbly at commandment,

H. Jones.

Certificate. Names of Hundreds aud Justices Resident and allotted thereto.

Also—the 'Duchery Lands'[1] are divided into three Commotes and but one Hundred, called Kidwelly.

Perfedd :—Resident—Sir Henry Jones kt., Thomas Williams Esq., George Powell Esq.

Cayo :—Resident—Gruffyth Rees, John Thomas ap Harry, John Powell ap John, Esqs.

Not Resident—Sir Henry Jones kt.

Cathinog (Kethnock) :—Resident—Gruffyth Lloid Esq.

Not resident—Sir Henry Jones kt., Gruffyth Rees, Water Vaughan, Jenkin David Jones, Esqs.

Elvet :—Resident—Richard [Davyes] Bp. of S. Davids, Sir Harry Jones, Sir James Williams, kts., John Gwyn, Clk.

Not resident—William Davies Esq.

Derllys :—Resident—Richard Vaughan Esq.

Not resident—Richard Bp. of St. Davids, Sir Henry Jones kt., Thomas Vaughan Esq.

Kidwelly :—Resident—Thomas Vaughan, Water Vaughan, Jenkin David John, Owen Donne, Morgan John Harry, William Penry, Philippe William, Esqs.

Not Resident—Sir Henry Jones kt.

The Town of Carmarthen. Resident—William Davies Esq.

Item—There are 2 Justices of the Peace within the town of Carmarthen viz.—Richard Philippes and Lewes Philippes David gent. who are sworn Justices there by the Mayor.

Not resident—Sir Henry Jones kt., Thomas Vaughan, Water Vaughan, Esqs.

Coroners :—David Lloid Gruffydd ap Rees, David Lloid ap John, gents.

Clerk of the Peace :—Thomas Williams gent.

Pembroke :—Custos Rotulorum to the Council. I received the Queen's Majesty's letters and yours on the 4th July. And as it purported speedy answer so would I wish your lordships to cause any letters of moment to be sent me with more diligence hoping for any Her Majesty's service no want shall be found in me. From Carew, 7th July 1575. John Perrott. ff. 108–9.

[1] I.e. lands belonging to the Duchy of Lancaster (see *Report of Royal Commission on Lands in Wales and Monmouth*, App., 443).

Post Script—It were convenient in my opinion that as there are 7 hundreds in the shire there should be 14 Justices of the Peace resident, besides the Custos Rotulorum—i.e. 2 to every hundred for any commission. I have therefore, under your lordships' correction, put down the names of 6 of the aptest gentlemen of this shire to make up the 9 already resident to 15. The fathers of most of them have been justices and [they] are of the best credit in the county.

List of names suggested :—Hundred of Dewsland [Doseland]—, Thomas Powell Doctor of Law, John ap Rees gent. Hundred of Kemes (Kemnesse) [1]—John Skurfield, Thomas Abowen of Pentrevan (Pentry Fern) gents. Hundred of Narberth—Henry Adams, Thomas ap Bowen of 'Trelloyne' [?Treffgarn] gent.

The Justices of the Peace when any commission cometh unto them do most commonly assemble in Haverfordwest, a town in the midst of the shire yet no part of the shire saving the castle, but a mere [2] shire town of itself where they divide according to their number, sometimes two to two Hundreds at other times one to each hundred or two to three hundreds, so that no Justice is constantly tied to one place.

Roose—Sir John Perrot kt. Custos Rotulorum, dwelling there most commonly.

Dewsland, Kemes—No Justices resident there but perhaps once a year, or once in two years the Bishop of St. David's and Thomas Huet clk. Chanter of St. Davids and Sir Lewes Gwynne Cathedral Chanter to the Bishop come to the said S. Davids in the Hundred of Dewsland, but they seldom or not at all meddle with any cause of commission. The Bishop dwells at Abergwilly (co. Carmarthen), Thomas Huet Chanter of St. Davids in the county of Brecknock and Sir Lewes Gwyn at Abergwilly. And note also that John Bradshaw, one of the Justices in this county, dwells in the county of Radnor.

Killgerran :—Thomas Revell, John Woogan of Boulston, John Woogan of Wiston.

Dungleddy :—Morgan Philippes, Albane Stepney.

Narberth :—Thomas Perrott.

Castle-Martin :—Gruffyth Whyte, Erasmus Saunders.

The towns of Pembroke and Tenby are liberties within which the mayors are Justices of the Peace.

Coroners :—Lewes ap Powell, dwelling in the Hundred of Narberth, Jevan ap William dwelling in the hundred of Dewsland.

Clerk of the Peace :—John Garnannce. No deputies for any of them.

[1] George Owen's *Pembrokeshire*, ed. H. Owen, Cymm. Record Ser. ii, 431–6, has a note on the spelling of this word.

[2] 'Mere,' here in sense of 'exempt.'

Flint. Custos Rotulorum to the Council. I have received the Queen's Majesty's letters and yours on the 26th June and in accordance with their contents have drawn up a schedule of the matters required. There are 5 Hundreds in the shire which are ordinarily divided into 5 commotes of the Justices of the Peace, of whom there are 14. Dated the 27th June, 1575. Your lordships most humble servant, John Gruffyth. ff.109v–10

Certificate. Names of Hundreds and Justices according to the division agreed upon a° 17 Eliz. (1574–5).

Rhuddlan (Ruthland) :—Resident—William [Hughes] Bp. of St. Asaph, Hugh Evans Dean, John Gruffyth, Roger Brewton Esq., John Conwey.

Prestatyn :—Resident—Piers Moston the younger.
Not resident—John Conwey—dwelling near the bounds of both hundreds.

Coleshill (Connshillt) :—Resident—William Mosten sen., John Hanmer, Harry Parry.

Mold :—Resident—George Ravenscroft, Edward Lloid.

Maylor (Mailor Saysnegg) :—Resident—Sir Thomas Hanmer kt., Roger Puleston, William Hanmer of Fenns.

It is reported that William Mosten the younger is in the Commission of the peace but the commission is not yet come to me and therefore I cannot certify.

Coroners :—William Thomas, Bartholomewe.

Clerk of the Peace :—Thomas Dutten Esq. of Sherborne (Co. Gloucester) ; Olyver Jones under clerk or deputy.

By me John Gruffyth, Custos Rotulorum of the County of Flint.

Montgomery. Custos Rotulorum to the Council. I received on the 24th inst. the letters from the Queen's Majesty and from your lordships and in accordance with their requirements I send herewith a schedule concerning the nine Hundreds and eleven Justices of the Peace in this shire. So I end committing you to the tuition of Almighty God. From Montgomery, 26th June, 1575. ff. 111–111v.

Edward Herbert.

Certificate. Hundreds and Justices allotted thereto :—

Montgomery, Newtown and that part of Cawrse lying south of the R. Severn :—Edward Herbert, John Price, Robert Mydleton, David Lloid Blaney.

Llanidloes, Machynlleth, Mathrafel (lying between the Hdd. of Llanfyllin and the Hdd. of Newtown, stretching from the Hdd. of Cawrse to the Hdd. of Machynlleth wherein no Justice of the

Peace dwells) :—Richard Herbert, Rowland Pueghe, David Lloid Jenkin, Morgan Gwyn.

Llanfyllin, Poole, Deythur (containing no resident Justice), the part of Cawrse on the north side of the Severn :—Olyver Lloid, John Vaughan, Gruffyth Lloid.

Coroners :—Robert Mydleton Esq., Richard Gruffith gent.

Clerk of the Peace :—Humphrey Williams gent ; deputy—William Whyttington gent.

ff. 112–13. *Glamorgan.* Custos Rotulorum to the Council. Having received the Queen's Majesty's letters and yours and considered their contents, I have made a true and perfect certificate as the matter required. From Cardiff, 2nd July, 1575. Your lordships most humbly—Thomas Lewes.

Certificate : ten Hundreds and Justices allotted thereto.

Cardiff :—Resident—William Herbert the elder Esq., William Evans, bachelor of law, Nicholas Herbert Esq.

Caerphilly :—Resident :—Thomas Lewes Esq.

Also allotted to these two hundreds—William Mathewe, Edward Lewes, Esqs.

Llantrissant :—Resident—William Mathewe.

Also allotted—William Evans Bachelor of law, Thomas Lewes, William Herbert the elder, Esqs.

Dinas-Powis :—Resident—William Bassett, Anthony Mannxell, Myles Britton, Esqs.

Also allotted—William Herbert the elder, Nicholas Herbert, Esqs.

Cowbridge :—Resident—Sir Edward Stradling kt. ; John Thomas Esq. (but not allotted thereto).

Ogmore :—Resident—Thomas Carne Esq.

Also allotted to these two Hundreds—William Bassett, Anthony Mannxell, Esqs.

Newcastle :—Resident—Sir Edward Manxell kt.

Also allotted—Sir Edward Stradling Kt., Thomas Carne Esq.

Neath :—Resident—Leyson Price Esq.

Swansea :—Resident—William Herbert of Swansea Esq.

Llangyfelach (adjoining the two hundreds of Neath and Swansea) has no resident Justice. Sir Edward Mannxell is also allotted to these three hundreds.

Coroners :—Thomas Lewes, Edward Stradling, Esqs.

Clerk of the Peace :—Richard Meyrick ; they use no deputy.

[Letter from the Justices of Assize in Hereford].[1]

fo. 114. From the Justices of Assize in the County of Hereford touching the proceeding in a suit for a Customary tenant.

Our very hearty commendations. Whereas one John Androwes, a very poor man, at an Assize held before us in the county of Hereford a° 16 of the queen's reign [1573–4], received by verdict of an action of Trespass a customary tenement and other lands appertaining thereto against certain servants and farmers of James Appary gent., lord of the manor of Prestyn Wynn, of which manor this tenement is parcel. Despite this verdict the said James Appary and divers others by his command have since and still do, keep possession of this tenement by force. Wherefore, inasmuch as the said poor man has no remedy to obtain possession by common law, James Appary being lord of the manor, our motion unto you is that you would take measures for the enforcement of the verdict for the said poor man until such time as James Appary shall recover the said tenement by order of the Common Law. Written in Hereford, 19th July, 1575. By your most loving friends,

Edward Saunders, William Lovelace.

fo. 115.

Memorandum that the right honourable Sir Henry Sydney, Kt. of the noble order of the Garter, Lord President of the Council, in July 1575 was sworn of her Majesty's Privy Council and by letters patent of the 5th August was appointed Lord Deputy General of her Grace's realm of Ireland. And the 13th August continuing his office of Lord President having warrant from the Queen to place a Vice-President in his room, came to Ludlow Castle to appoint his deputy. After making abode at Ludlow about the space of ten days he set forward on his journey towards Ireland taking Shrewsbury, Moreby Corbet,[2] Holt Castle and Chester in his way. And the 25th of August at Shrewsbury, in the house of Thomas Sherer, Clerk of the Council, he placed Sir Andrew Corbett kt. by her Majesty's warrant to be Vice-president of the same Council in his absence, and also by the same warrant swore Jherom Corbet Esq. to be of the Council, and the 11th September being Sunday, at 7 p.m. at Prestelly beside Beaumaris he took ship toward Ireland.

ff. 115v–17

Copy of the Commission appointing Sir Henry Sydney to be Deputy in Ireland. Dated at Gorhambury, 5th August, 1575.[3]

[1] By the instructions of 1576 the Council was to take cognizance of cases against the lord of a manor where it was clear that justice could not be obtained in his court (Clive, *Ludlow*, 342).

[2] Moreby Corbet, presumably Mor*ton* Corbet, about 10 miles north-east of Shrewsbury, and the home of Sir Andrew Corbet, the new Vice-president.

[3] Identical with the copy printed in Rymer, xv, 746–8.

[*Signet Letter.*]

By the Queen.

fo. 117v. Sir Andrew Corbet, kt., appointed Vice-president.

To Sir Henry Sydney kt. Deputy of Ireland, President of the Council in the Marches of Wales. Commission to appoint Sir Andrew Corbet kt. as Vice-president of the Council in Sydney's absence, with allowance, diet and other things usually allotted to the Vice-president in such case. Further Jherom Corbet Esq. is to be sworn a member of the Council. Given under our signet, Worcester,[1] 17th August, 1575.

T. Sherer.

At Ludlow, 22nd August, 1575.

fo. 118. Adjournment of the Court.

Whereas the L. President and Council are determined to go from Ludlow to [Aber] Conway for a space, and as there are divers appearances appointed within the undermentioned counties of South Wales far distant from [Aber] Conway, the L. President and Council, that the Queen's subjects should not travel and labour so far in this busy time of harvest but continue at home about their necessary business until the return of the Council very shortly, hereby order that letters be directed to the Sheriffs of the undermentioned shires commanding them to make public proclamation that all persons who have processes should wait to appear thereon until the 6th October, letting them wit that no advantage shall be taken in any matter before that date, provided that all persons bound to appear keep their appearance. The Sheriff is to see to the execution thereof.

Counties :—Hereford, Gloucester, Worcester, Monmouth, Glamorgan, Brecknock, Carmarthen, Pembroke, Cardigan, Radnor, Montgomery.

William Gerard.

At Holt, 27th August, 1575.

fo. 118. Sir Hugh Cholmondley.

Whereas the L. President has received Her Majesty's letters under her privy signet for the admission and restoration to the position of Councillor, of Sir Hugh Cholmondley kt., upon consideration thereof it is thought meet and convenient that order should be taken for this purpose. It is therefore ordered that from henceforth the said Sir Hugh Cholmondley shall be restored to the Council and shall receive all fees privileges and duties as appertain thereto, this order being sufficient warrant for that purpose. Letters reciting

[1] The Shrewsbury chronicle already quoted records, p. 275 a° 1574–5, that 'This year the Queen's Majesty went on progress towards Shrewsbury, but because of death within 4 miles of the same she came no further than Lichfield and from thence went to Worcester the which city she liked well.'

this shall be sent to Sir Hugh Cholmondley, commanding him when and so often as he shall be summoned to appear and serve as one of the Council.[1]

Henry Sydney, William Gerrard.

At Shrewsbury, 20th October, 1575.

Radnor.

The Council is informed that divers vagabonds, sturdy beggars and others having no master or entertainment to live are daily allowed to wander about within the county of Radnor without apprehension, whereby robberies, felonies and other offences are daily committed, to the great disquiet of the inhabitants of that county. The fault seems to the Council to lie in the neglect of the Justices of the Peace to choose Alehouse keepers and Victuallers aright, or to bind them over as the law requires. They suffer too many Alehouse keepers in places inconvenient, and so by the resort of idle persons no kind of disorder is left unattempted and Dice, Cards, Bowls and other unlawful games practised. The Council is however unwilling to punish the Justices without warning and so Sir Andrew Corbet and the Council ordain that a letter rehearsing the premises be addressed to the Sheriff and Justices of the Peace. They are speedily to meet together and in their usual divisions execute the laws against the offenders mentioned. Of their proceedings herein they are to certify the Council by the 12th December. These letters to be delivered to William Fowler Esq. Custos Rotulorum of the county who shall publish them or cause them to be published at the next quarter sessions, certifying us thereof.[2]

A. Corbett, *John* Pryce, *Jerome* Corbett.

[*Signet Letter.*]

T. Powell, R. Stevens, Fabian Philipes, Esqs

To our trusty and well beloved, Sir Andrew Corbett, kt. Vice-president. Whereas by your letters of the 21st October to our Privy Council we understand that you are not so well assisted in the government lately committed to your charge as is meet and convenient; whereby many causes of weight in that Court are committed to the examination and hearing of clerks of no great learning or experience from which come wrong judgements and the great infamy of that our Court. We are pleased to appoint to that Council Thomas Powell, co. Salop,[3] Richard Stevens,

[1] There is no reference to this 'restoration' or the need for it in the short life of Sir Hugh Cholmondley given in *Dict. Nat. Biog.*, or indeed elsewhere. He was in 1573–4 on the Commission of the Peace in nineteen counties, as Sydney himself, though he was not included in the list of Councillors appointed by the Instructions of 1574.

[2] Cf. above, pp. 102–3.

[3] A suit against Powell was to be examined by the Council in the year following (*A.P.C.*, ix, 240): cf. Gerard's criticism of Phillips, written probably

co. Gloucester, and Fabyan Phillips, co. Gloucester, of whose sufficiency for the office, sincerity, and position we have no doubt having received by your said letters so good testimony of them. We will and command you therefore to swear and admit them to be of our Council there, these our letters being sufficient warrant for you. Given under our Signet at our Castle of Windsor, 7th November 1575.

At Ludlow, 20th November, 1575.

ff. 119–119v The Council has heard that felonies, thefts and spoils have been committed of late within the counties of Merioneth and Montgomery and the offenders allowed to escape unpunished. And as the Council is informed that certain of these offenders wander in secret places in those counties and may easily be apprehended, it has thought good to make choice of special persons to do this service for Her Majesty. Therefore a letter of commission is to be devised for Ellis Price Doctor of Law, of this Council, Richard Mytton, John Salusbury of Rug, John Lewes Owen, Jevan Lloid ap David, Esqs. and to the Sheriff of the county of Merioneth authorising them (or any two of them) to make diligent search and enquiry for the offenders within those two counties and on their apprehension and examination either to commit them to the jailer of the county in which the offence was committed, to remain until delivered by due order of the law, or else to bind them over with sufficient sureties to appear before the Chief Justice of the County at the next Great Sessions there, binding them in the meantime to appear upon eight days' notice before this Council and not to depart without licence. The commissioners are to certify the Council of their proceedings (with the bonds taken) the 20th January next. A second and like letter of commission is to be made out for the following persons :—Edward Herbert, David Lloyd Blainey, David Lloyd Jenkyn, Esqs. Richard Moris gent., and the Sheriff of the said county or any two of them.[1]

Montgomery

A. Corbet, John Throckmorton, C. Foxe, W. Leyghton.

[*Letter from the Privy Council.*][2]

fo. 121v. To Sir Andrew Corbett Vice-president, and the Council in the Marches of Wales. Whereas we understand that a new trade has been practised in the city of London of late years—the making

this year (Skeel, 110), 'a young man, an utter barrister of small experience of the bar or bench, of no known living saving a bailiwick or stewardship.' The death of Stevens by plague is recorded below, p. 172 : see also p. 122, where he was appointed Deputy Justice of Assize in South Wales for Phetiplace.

[1] Cf. below, p. 174.

[2] *A.P.C.*, ix, 1575–77, 27, 14 Oct. 1575, 'Six letters for orders for soap boilers to the Lord President of Wales and the Lord President of the North and four other letters to all mayors,' etc.

of soap with tallow—in the making of which soap, called 'speckled' soap over 300,000 weight [? 3,000 cwt.] of tallow has been consumed yearly, to the enhancing of its price and hurt of the commonweal. And as this soap is said to be both more wasteful and more unwholesome for man's body, only profitable to the manufacturer, the Lord Mayor and Aldermen of London have not only by Act of Common Council but also by bonds taken of the soap makers there restrained the making and uttering of this soap within their liberties. And yet they inform us that certain froward persons, citizens of London and others, preferring their own gain before the common profit, still continue to boil soap with tallow outside the liberties of London. Therefore in order that both the ordinance and those who within the city have conformed to it shall not be undone, we have thought good to require your lordship to see that, after due notice given, no one within your jurisdiction shall sell or make such speckled soap but only soap made as before with oil, save that respite may be given for one month to allow such soap already made with tallow to be sold. What they cannot sell in this month is to be kept and notice of its place of custody and amount sent to the Lord Mayor of London, who is content to buy it paying ready money, on the valuation of indifferent persons. For the better observance of these premises we think it advisable that you should take bonds of £100 from all soap boilers and sellers within your jurisdiction, as already taken in the city of London as shewn in the enclosure, notifying us of all bonds you take. And further upon information sent you by the Lord Mayor of London, you shall redress and punish any disorders in this matter.

Windsor, 14th October, 1575. Your loving Friends,
W. Burghley, E. Lyncoln, T. Sussex, A. Warwick, R. Leicester,
F. Knollys, James Crofte, T. Smyth, Fra*ncis* Walsyngham.

The condition is that if the above bound A. B. either by himself, fo. 122.
his wife or his servants, or any other for him or to his use or by his means, assent or procurement, shall not make, boil, sell or utter or cause or wittingly assent to be made, boiled or uttered, any soap called speckled soap or soap that is or shall be made mingled or boiled with any tallow, that then &c., or else &c.

[*Letter from the Lord Mayor of London.*][1]

To Sir Andrew Corbett Vice President of the Council in the Marches of Wales, and all others whom it may concern.

Whereas the Lords of Her Majesty's Council have thought good

[1] No date is given.

for the common weal that as we have in London restrained the boiling of tallow in soap, so like order should be taken throughout the realm. It may please you therefore, and for the common weal's sake, to give order that the commands of the Council may be executed within your jurisdiction, signifying your pleasure to the rest of Her Majesty's Council in those parts.

Your loving friend, Ambrose Nicholas mayor.

At Ludlow, 15th December, 1575.

Upon receipt of the above letters it is ordered that letters with minutes of the above letters annexed, together with the minute and tenor of the bond of £100 to be taken, shall be sent to the Sheriffs and Justices of the Peace of the shires mentioned below. The Sheriffs, immediately on the receipt of the letters, are to publish their contents abroad by proclamations, and then conferring with the other Commissioners for the execution of the commands, to supply every Justice and every chief officer of any Corporation with copies of the letters. All bonds they may take are to be sent to this Council inclosed in a box that they may be despatched to the Privy Council. The bonds with a report of their proceedings are to be sent to the Council by the last day of January next.

List of Counties : Gloucester, Worcester, Salop, Hereford, Monmouth ; the 12 Counties of Wales ; the county of the city of Gloucester ; the county of the town of Haverfordwest.

A. Corbett, C. Foxe.

At Ludlow, 16th December, 1575.

fo. 122v. Gloucester.

The Council is given to understand that diverse felonies, robberies and other offences have been of late committed within the county of Gloucester, the reported loss within the last four months amounting to nearly £1000, the Sheriff and Justices being negligent and forgetful of their duties in the apprehension and trial of offenders, as in failing to send any certificate of their doings to this Council to whom the general charge of the county belongs. They esteem Her Majesty's authority to this Council over them and the rest so little that what for favour affection and friendship they bear one to another with their servants, retainers and followers, the authority and power from Her Majesty to this Council over them committed is had in utter contempt. Such bearing and bolstering, such indirect practices to shadow the truth and to hinder justice is not scarce used amongst the barbarous people as presently by common report within that county of Gloucester. The overmuch lenity, toler-

ance and bearing with their defaults from time to time breedeth this want of consideration; for redress whereof the Council think it very needful to give them admonition to take better consideration of their duties. It is therefore ordered that a letter rehearsing the above be sent to the Sheriff and Justices of the county of Gloucester, commanding them on receipt of it to assemble and, dividing into their accustomed allotments, take consideration to put the laws in execution, so that their present want of dutiful consideration may be repaired and amended. Specially shall they remember the statute against Rogues and Vagabonds, Alehousekeepers and playing at unlawful games, and for hue and cry.[1] And because of the manifold thefts, robberies and other crimes said rather daily to increase than to be suppressed, the Council requires the Justices to make a book of all the robberies, thefts, spoils and other outrageous offences committed since the 1st of August last past, saying who was or was suspected of being the offender, when and in whose allotment the crime was committed, with details thereof and of the punishment inflicted. They are to send this to the Council with a certificate of all their proceedings by the 15th January next and after that to send certificate monthly according to the former direction, the Council marvelling not a little that they have neglected to do so of late. Further negligence will mean that they will be called before the Council to answer for both former and present defaults.

A. Corbett, C. Foxe, Fabyan Phillips.

[*Letters Patent.*]

Letters Patent. ff. 167–9 For Continuance of making of Caps.

Elizabeth &c. Whereas an Act[2] was passed in the 13th year of our reign for the continuance of the making of caps, and sundry proclamations have since been issued for the same purpose, yet we are informed that the trade is now in many places decayed. We therefore, intending reformation upon the complaint of great numbers of our poor subjects dwelling in the decayed towns of this realm, having trust in John Baylie and Robert Blunt, of the mystery of Cappers, do now give to them or their deputies full authority to search out offenders against the said Act or any part of it. They may carry on their search and view in all the cities, towns, parishes and hamlets of this country, noting all offenders. Furthermore, for those offenders who will promise amendment in the future, we

[1] Stat. 14 Eliz. c. 5, 'An Act for the punishment of vagabonds and the relief of the poor and impotent.' Cf. above, pp. 145, 146.

[2] Stat. 13 Eliz. c. 19, 'An Act for the making of caps.' There is a reference (but a somewhat vague one) to this matter in *A.P.C.* ix, 1575–7, 25 Oct. 1575, 36. It was presumably entered here when Baylie and Blount entered the shire within the Council's jurisdiction.

authorise the said John Baylie and Robert Blount to receive composition for all such offences committed, provided this composition applies only to offences already committed. We give power also to them to discharge from forfeiture by reason of the said statute all lands, tenements, goods and chattels of those offenders who so compound. Further for the better relief of the poor decayed towns we grant to John Bailie and Richard Blount all such penalties, debts, fines and forfeitures resulting on failure to keep the said statute. And as the statute was passed to procure the wearing of English caps for the benefit of the company of cappers and others employed in that craft, we hereby order all mayors and other rulers and governors of cities, boroughs and towns corporate not only to allow the said Bailie and Blount to receive the half of any forfeiture for any offence committed against the said act, appointed by the statute to be divided amongst the poor inhabitants of the place, but also that they aid in the levying of any such fine. All Justices of Assize, Justices of the Peace, Mayors, Sheriffs, Bailiffs, all Owners, Stewards and officers of Leets, Law Days and Liberties, Constables, Churchwardens, Headboroughs and Tithing men and all other officers, shall aid the said Bailie and Blount in the execution of the act. And so that the said forfeitures may be employed amongst the poor Cappers of sundry cities, ancient boroughs and towns, it is provided that the said Bailie and Blount shall divide amongst the poor cappers of London, Exeter, Bristol, Monmouth, Hereford, Ross, Bridgenorth, Bewdley, Gloucester, Worcester, Chester, Nantwich, Newcastle [-under-Lyme], Uttoxeter, Stafford, Lichfield, Coventry, York, Beverley, Richmond, Derby, Leicester, Northampton, Shrewsbury, Wellington, Southampton and Canterbury, all such money as they receive from forfeitures, over and above their necessary charges. Further, they shall render account of their receipts and expenditure yearly before five auditors, to be appointed one by the Mayor of Coventry for the time being, one by the Mayor of Hereford, one by the Bailiffs of Lichfield, one by the Bailiffs of Shrewsbury, and one by the Bailiffs of Stafford. The account shall be taken at Bewdley. Any money unbestowed at the time of the account shall be divided amongst the poor cappers of the towns mentioned above. Further, a certificate shall be sent to the Office of the Remembrancer in our court of Exchequer every Michaelmas Term, containing an exact account of all the sums Bailie and Blount have received, and how they have employed them. Provided always that if the said moneys received over and above the charges of the said Bailie and Blount, seem to our successors or the Privy Council incommodious, unnecessary or unprofitable, then this grant shall cease and be void. By letters patent, dated Westminster, 23rd January, 1576.

[*General letter from the Privy Council.*]

Whereas upon information of sundry great and notorious robberies against Her Majesty's subjects by persons well known to the bearer hereof, it has been thought meet to appoint him to pursue the said felons using all means he can for their apprehension: we hereby notify you of this, at the same time requiring you to aid him in everything requisite and necessary for his purpose, causing, should he signify to you the necessity, general searches to be made by Hue and Cry as is accustomed in the pursuit of thieves. Should any of the offenders be taken, you shall place them in the nearest common jail of the county, there to stay without bail or mainprise until you shall be otherwise directed. From Westminster, 14th[1] February 1576. fo. 124.

W. Burghley, E. Lyncoln, R. Leicester, F. Knollys, James Croft, F. Walsingham, W. Myldmay.

At Shrewsbury, 21st April, 1576.

Whereas there are divers good laws for the commonwealth and tranquillity of Her Majesty's subjects, and although the Sheriffs and Justices of the Peace within the Council's jurisdiction have been warned from time to time to execute them, yet such is the negligence and omission of the officers and the want of consideration of the subjects that the said good laws do not work that benefit for which they were devised. The Council thinks that the diligent execution of the Statutes for the maintenance of Archery and debarring of Unlawful Games, the Statute for Punishment of Rogues and Vagabonds and Relief of the Poor, divers Statutes for the Preservation of the Spawn of Fish, the Statute for the Amending of the High Ways and the Statute for Alehouses and Tippling Houses, will in a short time work great benefit to the Commonwealth. It is therefore ordered that letters rehearsing the foregoing be sent to all the Sheriffs and Justices of the Peace of the counties, and to the Mayors, Bailiffs and other head officers of the cities and towns within the Council's jurisdiction, ordering them to assemble and consult as to measures for the better execution of these acts. Their conclusions they are to publish at Quarter Sessions or other times of assembly. They are then to divide into their wonted allotments and, each in his own district, to see to the execution of the statutes mentioned above fo. 124v.

[1] The scribe probably copied xiiij for xvii, for it was on the 17th that the Privy Council ordered letters to the Lord Mayor of London for the apprehension of three men, whose names are given, for robbery: and also 'an open letter to all Justices, etc. to aid and assist such a one as shall be sent for the apprehension of the above mentioned robbers' (*A.P.C.*, ix, 1575–7, 83–4). There is thus no implication that Wales and the Marches were especially infested with felons. The letter has no definite connection with the order which follows it here.

and the punishment of offenders against them, sending any they think meet up to the Council with a certificate of their case. They are to notify the Council of their proceedings by the 23rd June next.

List of Counties: Salop, Hereford, Gloucester, Worcester, Monmouth; the 12 shires of Wales; cities of Gloucester (to the Mayor), Worcester (the Bailiffs), Hereford (the Mayor); the towns of Shrewsbury (Bailiffs) and Haverfordwest (the Mayor).

A. Corbett, Thomas Powell.

fo. 126. Arthur Salwey, gent. one of the Clerks in the office of the Remembrancer.

[*Latin: Writ of Supersedeas.*][1]

For Arthur Salwey, clerk in the office of the Remembrancer in the Court of Exchequer. Whereas a certain Edward Corbett Esq., Eleanor his wife, and Francis Burke have sued the said Arthur Salwey before you for the possession of six 'bullaries'[2] of salt water in the town of Droitwich co. Worcester, yet for the jurisdiction and honour of the ancient Court of Exchequer, as well as for the fact that the continual residence of the said Arthur Salwey is required in the Exchequer, the suit is by this writ withdrawn from the court of the Council in the Marches.

Westminster, 30th April 1576, by the Red Book in the Exchequer, in the keeping of the Remembrancer, p. xxxvj and by Thomas and the Barons . . . Witness Ed. Saunders kt. Fanshawe.

[*Letter from the Court of Exchequer.*]

To Sir Andrew Corbet kt. Vice-president, and the members of the Council.

fo. 127. The Lord Treasurer and Chancellor of the Exchequer touching the allowing of Mr. Salwey's writ.

Whereas Edward Corbett and others, plaintiffs, have commenced a suit before you against Arthur Salwey one of the clerks of the Queen's Remembrancer in her Majesty's Court of Exchequer, defendant, for the title of certain 'bullaries' or salt 'fattes'[3] in Droitwich co. Worcester: and the said Arthur on being called appeared before you, took oath that he was a clerk in the said court and that his continual residence was in that court so that he ought not to be sued before you, praying of you the allowance of his privilege in that behalf.

Whereupon you took order with him that his answer should not be received until he had sent you his writ of privilege under Her

[1] See for this case Introd. p. 34.

[2] Bullary, bullery, boilery. Some account of the early history of the salt industry at Droitwich and elsewhere is given in the *Victoria County History of Worcestershire*, ii, 258–59.

[3] Fattes=vats.

Majesty's seal of Exchequer ; which writ he caused to be delivered to you accordingly. And since the receipt of the writ, you have in his absence proceeded with the suit and have made order, we are informed, that the plaintiff shall have possession of the premises. If you have so done we cannot but marvel of that your proceeding contrary to the tenor of the said writ and contrary to the jurisdiction and ancient privilege of the said court allowed and never denied in any court. We have therefore advised the defendant that he need not obey any order or proceeding so made contrary to the said privilege ; we also pray you to have better consideration of the premises and stay your further proceeding in the cause, giving the plaintiff to understand that if he shall sue the defendant in the Exchequer, where the defendant's presence is continually required, he shall have just trial. Westminster, . . July 1576.

Your loving friends W. Burghley, Walter Myldmay.

[*General letter from the Privy Council.*]

ff. 128v–29v. Touching the transportation of Corn.

The Queen understands that despite sundry Commissions, Proclamations, and letters of restraint for the stay of transportation of victual out of this realm, nevertheless both great quantities of corn have been and are transported beyond the seas without licence, and also divers of Her Majesty's subjects, arrayed in warlike manner, are in sundry ports and creeks suffered to pass out of this realm for the service of foreign princes, and also to commit piracies. It is also said some go from that very shire : which, if it be true, shews, we think, lack of due regard on your part. Of this we shall desire explanation and diligence that no further occasion of any such report be given by any default, in you to whom Her Majesty has committed the care of that shire. Regarding the carriage of grain : in addition to the commission of late renewed, and our letters lately sent to you, we have thought good further to signify to you, as we have done to the other shires of the realm, that as Her Majesty understands the price of grain has risen of late in divers parts of the realm by the greedy practices of certain uncharitable persons rather than by any scarcity of grain, she has thought meet to prevent the continuance or extension of this evil. As it is surmised and falsely bruited by some that the grant of certain licences for transportation of grain has caused the rise in price, we let you know that we are unaware of any licences being lately granted nor of any intended. But if there be any granted and not yet expired, Her Majesty's command is that you suffer no grain at all to be transported without our special letters except from port to port in England and that upon good

bonds and sureties that it is for other places and markets which cannot be well supplied but by sea and have been accustomed to be so served. But the greatest cause of the rise in price we find to be that divers having sufficient grain of their own growing, are nevertheless allowed to buy great quantities in the markets under colour of seed corn, only to engross the same, and upon hope of dearth, to sell it again at what price they list. Further such an excessive number of 'badgers' or 'loders' is said to be licenced in every shire by favour of some Justices of the Peace to their servants or tenants, that thereby the markets are not duly served and prices are enhanced. And although we remember to have written you at divers times to have more care thereof, yet we hear there has been no observation or at least reasonable order taken and so the inconvenience increased, as we are sorry to hear of.

Wherefore we desire you at some meeting to be held as soon as may be, to devise means for taking a uniform order through the whole shire, that no one, being known to have sufficient grain of his own growing, be suffered to buy any in the markets to sell again under the colour above mentioned, but that every such person, according to the ancient good custom of this realm, bring to the market to sell as much as he buys at the same market. Also such persons as are known to have more than enough for their own household shall bring the remainder to market to be sold at reasonable times appointed by you. Touching Badgers, Brogers[1] and Loders of corn you shall cause the unnecessary number to be restrained and none hereafter licenced but those qualified according to the late statute[2] and able to bring forward good surety.

Touching the second point, concerning the departure of sundry of Her Majesty's subjects into parts beyond the sea in warlike manner to serve foreign princes, Her Majesty having also by former Proclamations declared her misliking to it, charges you to see that out of no port, haven or creek in that county any of her subjects be suffered to arm themselves for the service of any other prince without special licence, nor any already so armed be allowed to depart with any victual or munitions. On the contrary you are to warn them against so doing and then, if they do not obey, commit them to prison. We require you to give notice of this letter to the officers of ports and other townships within the county that they may concur with you to take one uniform order for the execution of its commands. And because we have a great care of these matters we desire you to

[1] Brogers, broggers=brokers.
[2] Stat. 5 Eliz. c. 12, 'An Act touching Badgers of Corn and Drovers of Cattle to be licenced.'

certify us of your doings herein from time to time. From Hampton Court [17][1] October 1576.

W. Burghley, T. Sussex, A. Warwyke, F. Bedford, R. Leicester, F. Knolles, James Croft, Francis Walsyngham, W. Myldmay.

[*General letter from the Privy Council.*]

ff.133–33ᵛ Touching prices of Corn and Grain.

Repetition of the instructions given in the preceding letter from the Privy Council concerning the transportation of corn, the buying with a view to future sale and the licensing of badgers &c : omission of the portions dealing with the foreign service of Englishmen and piracy but otherwise identical. Hampton Court 24th Oct. 1576.[2]

W. Burghley, E. Lyncolne, T. Sussex, A. Warwick, F. Bedford, R. Leycester, F. Knolles, James Crofte, F. Walsyngham, Walter Myldmay.

At Ludlow, 7th November, 1576.

ff.134ᵛ–35

The Queen's Majesty desiring to prevent in time such inconvenience as might ensue by transportation of grain and victuals out of this realm and to bring down the price of corn, which of late without any apparent cause has been in sundry places increased, has commanded the Privy Council to signify her pleasure to all the shires of this realm, maritime and inland. The Council has received two copies of the same letter from the Privy Council to the intent that one uniform order may be taken in the matter throughout the whole realm. It is therefore ordered that letters rehearsing the premises be directed to the Sheriffs and Justices of the Peace of the counties undermentioned, with two copies of the letters therein enclosed : requiring them to have due regard that no transportation of victuals beyond the sea be suffered, nor any persons be permitted to arm themselves for the seas either for service of any foreign prince or otherwise for piracy because of the great complaint made

[1] The date is omitted but can be supplied by reference to *A.P.C.* where (ix, 215, meeting of 17 Oct. 1576) there is an order for the despatch of a 'letter to the L. Treasurer sending him the letters signed which were to be sent for stay of transportation of grain and of such as arm themselves for service of foreign princes.' Cf. above, pp. 122–3, for notice of the Council's action hereupon and for other reference to the same subject. The price of corn, it may be noted, rose sharply in 1576, from 15*s.* 11*d.* to 22*s.* 2½*d.* a qr., a price only thrice exceeded previously in the sixteenth century, and other kinds of grain also rose in price (Thorold Rogers, *Hist. of Agric. and Prices,* iv, 291, 267–8 : cf. for the general rise of prices Cunningham, *Eng. Ind. and Comm.*, ii, pt. i, 167–70).

[2] *A.P.C.*, ix, 219, 24 Oct. 1576, 'Twenty letters to inland shires concerning restraint of badgers and other orders for Justices of the Peace concerning the bringing down of the price of corn.'

of late touching these matters. Her Majesty earnestly requires, if in those parties any fault has been committed to have it reproved with all speed as they shall answer to the contrary at their peril.

List of Counties—Gloucester, Worcester, Hereford, Shropshire, Monmouth ; the 12 shires of Wales ; the county of the city of Gloucester, the county of the town of Haverfordwest.

C. Foxe, Fabian Phillipes.

[*Letter to the Court of Exchequer.*]

Answer to the Court of Exchequer from the Vice-president and Council touching the disallowing of Mr. Salwey's writ of privilege.

It may please the Court to be advertised that the 7th of this month we received some letters from you dated July last on behalf of one Arthur Salwey, wherefrom we gather that upon his complaint our proceeding in a suit against him is thought to be against the privilege of Her Majesty's Court of Exchequer, where, as we learn, he serves as a clerk. And although the copies of our proceeding shall as we hope, easily purge that suspicion impeached against us, yet for your better satisfaction we have thought good to signify to you in brief our particular proceedings. The matter was first brought in question before this court about two years ago on complaint of Edward Corbett and others who claimed the fee simple of these 'bullaries' with continuance of possession against one Francis Brace Esq. who claimed the same (as is said) for term of years : the said Francis left the realm whilst the suit was yet depending, and still remains over sea. Whereupon, the said Edward Corbett and the other claimants being interrupted in the occupation of the 'bullaries' by the officers of Droitwich, made complaint to this Council. But such was the dealing in the use and occupation of the 'bullaries' from one hand to another in secret that the suit continued almost a year. In the end the officers of Droitwich and certain of the burgesses discovering this matter were called to answer the wrong. And although disclaiming any rights they confessed to occupation of the 'bullaries' until Christmas Eve last past they were put therefrom by Arthur Salwey. After this Edward Corbett and the others complained against Salwey who, appearing, pleaded his privilege and before order was taken, departed without licence to the contempt of this court, for which contempt Her Majesty's letters were issued for his appearance on the 26th April last, informing him that if he failed to appear the court would proceed in the suit. This writ was issued to him as an inhabitant within this Commission and out of term time ; he wrote special letters to this house that his attorney would do what appertained, which being received he desired by attorney a further day to make answer. For that purpose he obtained a warrant for commission of *Dedimus Potestatem* to receive his

answer in London, returnable the 6th June last. And forasmuch as he before making answer entered into the 'bullaries' and then sent in his privilege, which privilege either from that court or from any other Her Majesty's courts hath not been in this court heretofore allowed, we, thinking that for justice' sake we must take some order, took such order therein as may appear to your honours in the copy annexed, if it may please you to peruse it. We hope we have done nothing but that which shall stand with your liking, and the discharge of our duties. From Ludlow, 14th November, 1576.[1]

At Ludlow, 24th November, 1576.

fo. 134. For preventing of Disorders at Ludlow Fair.

The Vice-president and Council now making their abode at Ludlow Castle for the administration of Justice, understand that to-morrow, the 25th inst. a great fair[2] is to be kept within the town, whereto many of Her Majesty's subjects will resort for good intent to use traffic and to buy and sell. Even so in respect to the fair and to this Council many evil disposed persons will come to pick and steal and to use some shifts and disordered trade, or to fight and quarrel rather than for any good intent, for preventing whereof the Vice-president and Council have called the Bailiffs of the town before them and warned them to look well to their charge. And although the Council think that they will not be forgetful of their duties for due execution of the laws against offenders, yet for more security thereof it is ordered that a letter rehearsing the premises be sent to them. Letting them know that the Council think they shall do good service to Her Majesty this night in secret order upon conference amongst their brethren the Aldermen and Council to enter into suspect houses for the apprehension of offenders, causing a substantial watch to be kept. Such as shall be found offenders against the laws they shall punish or else send them to the Council with certificate of their offence. And whereas many persons disposed to fighting and brawling will come to the fair bearing upon them 'gleves,' spears, javelins or pikestaves so long as to be monstrous to behold, it is very meet that the Bailiffs should make proclamation that no man shall bear any armour or weapons in affray of the people; and if they find any such weapon above 6 feet long they shall use their discretion to reduce it to a reasonable length,

[1] No names are appended and there is no mention of the issue.

[2] Ludlow had its annual fair round St. Katherine's Day, 25th November, by letters patent of 1329. It added a second, in Whitsun week, in 1596 (Clive, *Ludlow*, 17). In Bishop Lee's time, despite a similar proclamation of the Council, a great fray broke out at the fair at Bishopscastle (Skeel, 61). The wearing of armour and weapons at fairs and markets was specially forbidden by the Instructions of 1574 (Clive, *Ludlow*, 318–9).

sending any obstinate persons to this Council. They are also to certify their doings from time to time.

A. Corbett, Joh*annis* Hereford*ensis*, C. Foxe, W. Leyghton Fabian Phillips.

ff. 135–6. Proclamation for the restraint of licences touching the buying and selling of wool. Hampton Court, 28th November, 1576.[1]

[*Letter from the Privy Council.*]

fo. 136. Observation of Fish Days. We send you here inclosed a copy of a letter to be sent to all Sheriffs and Justices of the Peace in the realm, for the observation of the laws heretofore made for the keeping of fish days, which we desire you to communicate to the Sheriffs of the shires under your commission. We think these laws will be better kept if the ministers and clergy put their helping hands to instruct and admonish the people humbly and dutifully to submit themselves to the observance of the said laws, which are only required for policy and not for any other superstitions. We have already written to the Archbishop of Canterbury to signify the same to the Bishops in both provinces, which we doubt not has before this been done to the Bishops having any charge within your commission. Wherefore desiring you to join with them and to take all other means you may think meet in this behalf, we bid you heartily farewell.

Hampton Court, 28 December, 1576.

W. Burghley, E. Lyncolne, A. Warwick, F. Bedford, R. Leycester, F. Knowles, James Croft, Francis Walsyngham.

[*General letter from the Privy Council.*][2]

fo.137–37^{v} Her Majesty having of late been informed that victuals within this realm are grown to most excessive prices (a matter very strange considering the long peace the realm has enjoyed through God's goodness and the Queen's providence) ; finding that this has come from nothing so much as the non-observance of days of abstinence by good policy prescribed by wholesome laws ; and considering also the great decay of mariners and fishermen by the neglect and contempt of eating of fish, a matter very prejudicial to the strength of the navy. Therefore Her Majesty seeing that despite proclamations, and the sending of letters from us, there has not been that due regard

[1] Printed in Dyson's *Elizabethan Proclamations*, fo. 178 as ' A Proclamation against buying of wools.'

[2] *A.P.C.*, ix, 260, 28 Dec. 1576, ' Sundry letters to the Sheriffs and Justices of the Peace of each shire for observation of fish days, according to a minute and note remaining in the Council chest.'

for the said statues as in duty appertains thereto, has commanded us to tell you that she has taken most straight order both in her own household, with us of her Council and all other persons of estate in the same, in the City of London, to see that all observe not only fish days but also the ordinary fasting days provided by the laws of the realm. Her meaning is that her example set from her own house shall provoke you to act in the matter as you are bound to do both by duty and oath. We know no way so apt to compel the observance of the statutes concerning fish days as for you, by straight and serious reform of your own households, to give example to others in that behalf. Wherein if the inferior sort there do not follow so good example Her Majesty cannot but impute it to your lack of example or failure to punish the offenders. We hope therefore that the former remissness—which we think specially due to lack of good example—may be reformed by you, considering that the benefit thereof redounds also to yourselves. For execution of these commands you shall after receipt of these letters, assemble at the next Quarter Sessions to take measures for the execution thereof. In which we are to put you in mind of two things ; one to take very good bonds of all kinds of victuallers for the observance thereof ; second to take like bonds of butchers within that shire that they neither kill nor sell flesh in Lent for any respect. And for that some may over curiously make wrong construction of the care Her Majesty uses to have these laws concerning abstinence obeyed, conceiving that they tend to nourish superstition, we think it right to let you know that we have written to the Archbishop of Canterbury requiring him to signify to the Bishops within that province [and the province] of York that we think it meet they should order preachers and curates to let the people understand the true cause why these laws should be put in execution.

Hampton Court, 28th December, 1576.

W. Burghley, E. Lyncolne, A. Warwicke, R. Leycester, F. Knowles, James Croft, Fra*ncis* Walsyngham.

At Ludlow, 5th January, 1577.

Whereas the Council has received letters from the Privy Council ff.137ᵛ–38 with a copy of a letter to be sent to the Sheriffs and Justices of the Peace for the observation of the statutes heretofore made for the observance of fish days : it is therefore ordered that letters rehearsing the premises be directed to the Sheriffs and Justices of the Peace of the counties undermentioned with a copy of the said letter enclosed ; requiring them forthwith to assemble to consider the letter and thereupon to take direction and severe order for the due

execution of the commands contained therein, duly punishing all infringers and breakers of the statutes in that regard.

List of Counties—Worcester, Hereford, Shropshire, Monmouth ; the 12 shires of Wales.[1]

The Mayors and Sheriffs of the county of the city of Gloucester and of the county and town of Haverfordwest ; the Mayor of the city of Hereford ; the Bailiffs of the towns of Shrewsbury, Worcester, Carmarthen, Ludlow, Leominster and of the franchise of Wenlock.

A. Corbett.

[*Latin : copy of Letters Patent.*][2]

fo. 165. Pardon of Rowland Cole for robbing of Richard Bayly of Ludlow.

Pardon for Rowland Cole late of Northway [? Northwick] co. Gloucester who, with others, robbed a certain Richard Baylie of Ludlow of goods to the value of £26 13*s.* 4*d.* to the destruction of the said Richard Baylie, his wife and ten children as reported by the Vice-president and Council there. As the relations and friends of the said Rowland Cole are willing to restore or pay for the greater part of the goods, he is hereby pardoned of all crimes committed by him before the 20th December last on condition of his giving good security for his behaviour in accordance with the act of 10 Edward . . ; At Westminster 22 January 1577.

Registered by Command of the Council 7th July 1577 by Thomas Sherer.

[*Signet Letter.*]

ff.144–44v Training.

To Sir Andrew Corbet kt. Vice-president, and the Council. Considering that the troubles long since moved in the countries of divers princes our neighbours round about still continue to our great grief, weighing how unpleasant they are to God, dangerous to those princes—in amity with us—and dangerous to their neighbours as former example has shown. And although we know no certain cause for fear or doubt towards us, yet nevertheless for the natural care we have for our subjects and being moved to be able and ready to withstand all attempts against us and our dominions, we have thought very requisite, upon good deliberation and advice of our Council to have a certain

[1] The omission of Gloucestershire would seem to be a clerk's slip, especially as the city of Gloucester is included. Cf. pp. 100, 116–17, for similar orders on the same subject.

[2] Other reference to this occurs in *A.P.C.*, ix, 1575–7, 166, 185, where two successive letters are ordered to be sent to the Justices of Assize in Devon, commanding them first in July 1576 not to free one Robert Cole but to wait for writ for his despatch to Ludlow to be tried for a robbery : second, a month later to see him, with his two alleged accessories, removed in safe keeping to Ludlow for trial, for which journey an open letter to all Sheriffs etc. is enclosed.

number of able men mustered levied and trained in every shire. These are to be chosen out of the enrolment for the last general musters taken by virtue of our commission of the year 1573. And as, considering the realm in general as well as the shires of Wales, it is very likely that in this long time of peace the same are increased in number of means and wealth, we have thought good, and do by these letters of commandment authorise you to send out with all diligence in our name, under our Signet remaining with you, letters to the commissioners for the musters in those shires, willing them in our name to proceed to muster, levy and put in readiness there as follows ; viz :—County of Salop, 300 ; Worcester, 200 ; Hereford, 150 ; Anglesey, 50 ; Flint, 50 ; Gloucester, 300 ; Denbigh, 50 ; Montgomery, 50 ; Merioneth, 50 ; Glamorgan, 100 ; Monmouth, 100 ; Carnarvon, 50 ; Cardigan, 50 ; Carmarthen, 50 ; Pembroke, 100 ; Radnor, 50 ; Brecknock, 50. Those levied are to be men able for soldiers, levied as well from the body of the shire as from the towns and places pretending by privilege to be exempted from the charge of the Justices of the Peace. They are to be furnished and kept in readiness according to the particular instructions you shall receive from our Privy Council, not doubting but that you and they will execute the same speedily and effectually ; we require you to signify your action in the matter to us or our Privy Council with convenient speed. Given under our Signet at our palace of Westminster, 21st March 1577.

[*Letter from the Privy Council.*][1]

You shall understand that of late having perused such muster books as were returned unto us by Her Majesty's commissions sent down in 1573 for the shires under your jurisdiction, we find first that whilst some have returned certificate of their doings, others have as yet sent nothing at all. Second, of those which have sent returns—as Worcester, Salop, Hereford, Anglesey, the shires of Flint, Denbigh, Montgomery, Merioneth and Glamorgan, we find that the certificates not being made up according to the instructions sent out, are so imperfect that we are constrained to desire you and the late commissioners appointed, to take more ff.145–45ᵛ

[1] There is record of a meeting on 20 March 1577, in the *A.P.C.*, the first mention of the musters coming 16th April (*A.P.C.*, ix, 322). But from the *S.P.D.*, 1547–80, p. 539 we find that on the 21st March they issued instructions for the levying and training of 2,000 men : cf. 540–3, 545–6 for lists of commissioners and proceedings. There is no mention of any instructions being sent out though the Cambridgeshire commissioners asked for them. The reports of 1573 are also mentioned in the same volume, p. 459 *seq.* The numbers to be levied from the different shires on this occasion may be compared with the list of those responsible for furnishing horsemen in each shire, compiled in 1570 (above, p. 73).

pains therein. For which purpose we require you, on receipt hereof to give this order as well to the special commissioners appointed in the shires aforesaid, as also to the commissioners of the shires of Gloucester, Monmouth, Carnarvon, Cardigan, Carmarthen, Pembroke, Radnor and Brecknock, which although they have sent no certificate, we doubt not were mustered as the rest. The commissioners, without new muster or troubling the people, shall call for the muster books then taken and thereupon make out their certificate in more orderly sort. Herein, although the former instructions were sufficient, yet to avoid any default, we have thought convenient to send you herewith a schedule for the commissioners containing a pattern for them to make their certificate.

Further, forasmuch as upon considerations contained in Her Majesty's letter to you it is thought convenient to have certain selected companies trained in each shire, seeing that the number appointed is so small there is no doubt that each shire is well able to bear the charges. We desire you to signify all this unto the late commissioners and to have a care to its execution. And yet we mean not only the present preparation of this small number of 'shot' but also the whole number of serviceable men before mustered; if any have been lost by death or other means they are to be replaced, all being ready to be mustered as you shall have further commission, by which the footmen shall be mustered about May, the horsemen about July. We require you to give warning of this now so that men shall be ready according to the orders of previous commissions. And as, besides, Her Majesty has reserved to us part of Her Majesty's pleasure concerning the training of the said men, we enclose a copy of instructions which we have also sent to the other shires of the realm. We require you to communicate it to the commissioners charging them to execute its commands that one uniform order may be taken. Of their and your doings we require you to advertise us as soon as you conveniently may. Westminster, 20th March 1577.

P.S. The Schedule herein mentioned shall be sent to you later with the commission for the general musters; in the mean time it shall suffice to have due regard to the training of the men as laid down in Her Majesty's letter.

W. Burghley, T. Sussex, A. Warwicke, F. Bedford, R. Leycester, F. Knowles, Francis Walsyngham.

ff.146–49v Trained Soldiers.

Instructions[1] *given by the Privy Council to the Vice-president and Council and the late Commissioners for musters under their jurisdiction, for levying and training certain soldiers appointed by Her Majesty's special letters.*

1. The Commissioners shall assemble and take the muster books of 1573, seeing that all deficiencies of numbers are made up without any new muster, so that they may be ready for further commission by which muster of footmen is to be appointed for May, of horsemen for July. They are to have more special care in making their muster books than before.

2. They are to select from those before mustered, the number of serviceable men appointed by the Queen's letter to be trained; the number is so small that there is no doubt but that the shire is well able to bear the cost.

3. Her Majesty, desiring to put her good subjects in those counties to as little charge as possible, has willed us to signify to you that as she has moderated the number to be trained from that appointed by the certificate of 1573, it being thought in the former year that the larger number might have been borne by reason of the number of men of wealth: now her further pleasure is that those now appointed to be trained shall be levied not only of the bodies of the shires but also of all the places being liberties within the said counties and pretending by any privilege or charter to be exempt from the rest of the shire in or for musters. This shall be done according to the following rates:—The town of Beaumaries 15 soldiers, Haverford-west 10, Shrewsbury 10, Ludlow 10, city of Hereford 20, Worcester 30, Gloucester 41, Bristol 40.

4. To avoid delay, as Her Highness intends that one letter shall serve for places pretending liberties as other places; so lest the said privileged places may think to be prejudiced in their liberties, Her Majesty's pleasure is that two of you, the Commissioners near to the privileged places, shall first advertise the principal officers of the place of your intended coming and then go there and shewing these your instructions, you shall jointly with the head officers take the views and musters of such numbers of men as are appointed. Provided nevertheless that if it shall seem to you that the number appointed is too large for the town through any noticeable decay there, you are to appoint a less number, making up the deficiency either from the body of the shire or from some other corporate town.

5. In case there shall be any place not mentioned above which pretends like exemption from the shire musters and has men fit for training yet will not voluntarily bear part of the charge for the shire, we pray you forthwith to advertise us of the name of any such

[1] Cf. other copies of instructions for musters, below, pp. 200 *seq.*, 219–21.

place together with the names of the lords or owners of it and your opinion as to a reasonable assessment for it. Thereupon further order shall be taken to cause them to bear a fair proportion of the tax on the whole shire.

6. As to the furnishing and sorting of weapons for those to be trained, Her Majesty's pleasure is that the whole number so appointed shall at present be composed only of men armed with Callivers, Flasks, Touch Boxes, Morions, Swords, Daggers and such other furniture as appertains. Further, for the men, good choice should be made as far as possible of meet and able husbandmen and farmers' sons likely to stay on the spot rather than of such Artificers as are often moving about. In default of others however, take such Artificers and handicraftsmen as are likely to continue in the shire.

7. It is not meant that you should admit to be trained with shot any person being an able archer and bowman, but that you continue the care for the maintenance of archery as prescribed by the statutes, ensuring that at this present season of the year it shall be renewed and used in every parish and other unlawful games utterly barred.

8. Touching the charges, as Her Highness has had great regard for your benefit and ease in diminishing the number of those to be trained, so for your further comfort Her Majesty has willed us to advise of some order which we think will be so little grievance, the cost being divided amongst so many, that no exception shall be taken to it.

(*a*) Her Majesty being very loth to charge the shire at this time of the year with a new general muster, thinks it convenient that you should peruse the muster books of 1573 and command the constables and other officers of every division and place that they shall order the armour and furniture then provided to be scoured, buckled and trained so that it may be the better preserved and ready for use if occasion arises.

(*b*) Upon consideration of the numbers formerly mustered in each part of the shire, you shall allot a proportionate number at this present time, so that no one part of the shire be overburdened or charged above any other part except for any known decay since the last muster.

(*c*) You shall divide the whole number levied into companies so that no man may be drawn further from his home than is necessary, provided that none of these companies contain less than 50 men.

9. When the companies and assembly places have been chosen you shall appoint some gentlemen of the country (if it may be) of skill and experience in martial affairs, for their mustering and training; if no such person is obtainable, then you shall procure some other fit person, certifying us of his name along with your other acts as soon as you can.

10. The assemblies and musterings shall be held thrice yearly, viz :—first in the particular division for four days in Easter week

beginning on the Monday ; second in like manner in Whitsun week ; third—all those appointed in the whole shire, or 150, or at least 100, shall muster in one place on Michaelmas Day (not falling on Sunday) or some other day after Harvest and be trained together for two days : thus ten days at least in the year shall be given to this training.

11. At these assemblies, those appointed to train the men to use their pieces shall act upon instructions to be sent herewith from us.

12. Before the assemblies sufficient warning shall be given so that two or more Justices of the Peace of the district, or two of the Commissioners, shall be present, well accompanied with their servants and other ministers both to assist with the training and to keep the peace.

13. After the musters the arms shall not be kept by the levies, unless they are their own property, but shall be kept in some place near the place of assembly by some person appointed with an allowance, to keep them clean and in repair until their next using.

14. As to the charges for powder, bullets and for going to and from the place of muster, both Her Majesty and we think it good to leave its levying to you and the Justices of the Peace as familiar with the shire, taking care not to burden the poorer householders and especially the cottagers.

15. In consideration of the fact that the days appointed for training are mostly upon holidays, we think it sufficient to allow to all those being trained 8*d*. by the day. And you shall see that victuallers and others near the places of muster do not enhance the ordinary prices of victuals at assembly time beyond what you consider reasonable for the time of year so that the levies may have victual and lodging at reasonable rates.

16. Touching the expense of powder and bullets, as it is thought convenient that the discharge of their pieces shall be made in some order as is appointed in the orders prescribed for their training, we pray you to have regard thereto, and to see that none waste powder or bullets unnecessarily.

17. Further, in levying the charges, we pray you by good example in taxing yourselves and shewing forwardness in this service, to provoke others of ability to do the like and to have a due regard. . . .[1]

A Proclamation against excess in apparel. Westminster, 16th February 1577. Followed by ' A brief content of certain clauses of Statutes of Henry VIII and Queen Mary with some moderation thereof.[2] ff.139–42ᵛ

[1] The entry breaks off abruptly here, half way down fo. 149ᵛ. Fo. 150 has been torn out.

[2] Printed in Dyson's *Elizabethan Proclamations*, ff. 180–85. For the letter of the Privy Council—*A.P.C.*, ix, 330, 8th April, 1577, notes the despatch of ' letters to all the shires concerning the observance of the late Proclamation for reform of excess of apparel.'

[*General letter of the Privy Council.*]

ff.143–43v Excess of Apparel. Whereas Her Highness has not long since issued a Proclamation for the repression of excess of apparel used contrary to former statutes, and as her meaning is that the contents of the said proclamation shall be enforced without favour or partiality, her will is that we should write unto you that you may have diligent care and observation of them, punishing and reforming all those who offend without exception of persons. And whereas we are informed that some doubt has arisen in regard to the meaning of a clause contained in the last article [1] of the additions annexed to the said proclamation touching the not impeaching of any one from the wearing of any cloth made within the realm so long as be observe the orders and rates laid down by the proclamation, we have thought good to signify to you that neither in these nor in any other words contained in the eight articles is it intended to hinder any one from wearing any cloth made within the realm in respect of any prices limited by the statute of a° 24 Henry VIII, but only from wearing cloth of colour restrained by the proclamation and statute. We pray you therefore that if any question of this arise you will resolve it according to Her Majesty's meaning, diligently seeing, for the rest, to the execution of the proclamation. From Westminster, 8th April, 1577.

P.S. We pray you as from us to signify the contents hereof to the officers of the privileged places exempted from the body of the shire that they may execute its commands.

N. Bacon, C.S., W. Burghley, E. Lyncolne, T. Sussex [H.] Arundell, Ambrose Warwick, Francis Bedford, R. Leycester, Francis Knollys, James Croft, Francis Walsingham.

At Bridgenorth, 22nd July, 1577.

fc. 166. Whereas one William Whyteheade, one of the messengers of the Council, has lately yielded up that office, requesting that some other may be placed in his stead: and forasmuch as the Lord President has by letters to the Vice-president and Council commended one Randle Tudder as an apt person for the post of messenger. Therefore the Council by this order appoints the said Randle Tudder to the post of messenger to the Council to hold the office with all its profits, fees, wages, diet and commodities thereto belonging for

[1] The article referred to runs: 'That no person shall be impeached for wearing of any cloth made in the realm so long as he shall observe the order and rates by this present proclamation limited. But if any person shall willingly break the tenor and effect of this Proclamation then Her Highness' pleasure is that every such offender shall have the penalties of the law extended against him to the uttermost without any toleration or favour.' There is no record in the Register of any action taken on this letter by the Council.

term of his life according to Her Majesty's Instructions in as ample a manner as William Whyteheade or any other held the office. In witness of this the Vice-president and Council not only put their hands to this order but command that it shall be exemplified under Her Majesty's Signet, this order being sufficient warrant for that to the Clerk of the Signet.[1]

[*Letter from the Privy Council.*][2]

fo. 174. Touching Archery.

Her Majesty is informed that since the sending abroad of her late orders for the training of arquebus shooting people are grown to forsake the exercise of the bow and archery, imagining it to be of no use for service as they see the caliver so much embraced at present—howbeit in the late instruction sent out there was a special article inserted that no able archer should in any case be drawn from the bow to the practice of the arquebus. Failure to observe this is like to bring the bow wholly to be neglected and contemned unless present order be taken. Her Majesty considering how necessary the bow is (wherein this nation hath ever excelled and thereby in time past obtained great victory over the enemy), has commanded us to send letters throughout the realm to keep the bow in reputation and for that to revive the statute made in the 8th year of Her Majesty's reign. A copy of this letter we send you, praying you that where in the Marches the bow has been used before, it may be effectually practised.

Further as Her Majesty intends to have the haven of Dover repaired, it being now greatly decayed, and to do this with less charge to Her Majesty and no great burden to her subjects, the readiest way to make a present mass of money is thought to be by some contribution levied upon victualling houses, as shall appear to you by a copy of the general letters sent through the realm. This is also meant to be extended through the shires of the Marches. And so requiring you to take measures therefor, and to certify your doings therein by Michaelmas Term, we bid you heartily farewell. From the Court at Richmond, 20th July 1577.

A. Warwick, Frances Bedford, Robert Leycester, Francis Knowles.

[1] No names are appended.

[2] *A.P.C.*, ix, 20 July, 1577, p. 386. 'Two letters, one to the Lord President of the North and one to the Vice President of the Council in the Marches of Wales, concerning archery and victualling houses and Dover Haven.' A notice of the two more general letters to be sent 'into all the shires' precedes. The Statute referred to is 8 Eliz. c. 10, 'An Act for Bowyers and the prices of bows.' Holinshed, *Chronicles*, iv, 848 *seq.* gives a longish account of the work done in repairing Dover haven, and there are numerous references thereto in *S.P.D.*, 1547–80, showing that work on a large scale was begun in August 1580 (p. 670 *seq.*), though something was being done ten years earlier (*ibid.*, 404, 517).

[*General letter from the Privy Council.*]

ff.175–75ᵛ Whereas the Queen's Majesty, finding the havens of the realm, situate on the narrow seas, barred and as yet altogether decayed, has long since thought it very expedient and necessary to have some such haven as a receptacle and harbour for her ships, where they may soonest, upon occasion of service, be ready to retire or issue out for the better defence of this realm at home or the annoyance of the enemy abroad. And finding, upon view taken of several ports by men of skill, no place so fit for this purpose as the port of Dover, where the haven is in such utter decay that without some large contribution, the money requisite to make it a fit harbour for Her Majesty's ships cannot be levied, Her Majesty hath willed us to think on some method of levying a convenient sum.

Therefore, as least grievous to Her Majesty's subjects, we find after long consideration, no better means than some small fine to set by way of license upon all alehouses, inns and taverns throughout the realm. But forasmuch as the sum which such an imposition might bring cannot be understood unless the number of all the Alehouses first be known, Her Majesty's pleasure is that you cause a perfect certificate to be made of all the alehouses within your county, sending it here by the beginning of Michaelmas Term or before, so that a complete certificate may be made of all alehouses in the realm. Further we desire to know of alehouses etc. within privileged and exempt places as elsewhere in the county. We require you to give notice from us to all head officers of exempt places to make like certificate of these houses, to the end that having full certificate of them all, in places privileged as places unprivileged, we may, if it be thought meet, impose upon them towards this profitable work, such reasonable fines as shall be thought convenient. For this good employment both Her Majesty and we look for all diligence and sincerity in making the certificates, and cannot but account defaulters therein as not so well affected towards Her Majesty and the state as in duty appertains. And therefore see you have due regard thereof. From Richmond, 20th July, 1577.

W. Burghley, E. Lyncolne, T. Sussex, Frances Knowles, James Croft, Francis Walsingham.

ff.176–7. Touching the Training of Soldiers. [*General letter from the Privy Council.*]

The Queen's Majesty being given to understand that since the late exercise used for the training of a certain number of shot in every shire appointed by her letters, not only is the use of bows and archery neglected but people have the opinion that it is now become unserviceable because of the late order for the training of

arquebus shot, we cannot but think that this has grown in some sort through your default, for in the said instructions there was a special article inserted by which it was ordered that men known in each shire to be able archers, were not to be drawn from the use of the bow to that of the caliver. Further for the continuance of so laudable, ancient and profitable an exercise, it was expressly set down that all other games should be barred and forbidden as unlawful. Therefore if it be slackly looked to or not observed as commanded, Her Majesty has good cause to think you not so careful in your duty towards her and your country as were meet, the matter being so important, we are therefore again straightly to charge you not only to have due care to see the article in our former instructions effectually observed, but that you do immediately upon receipt hereof and at the time of your mustering, revive, put in execution and continue, the last statute made in the 8th year of Her Majesty's reign for the maintenance of artillery through the realm. For this you have very good and convenient means at this time of the mustering, both to visit and see how the shire is furnished with that kind of artillery as also to charge the inhabitants within your several divisions (if you find any defect therein) to provide themselves within a convenient space, according to the statute.

And for the better and more effectual advance and maintenance of the use of the bow, besides forbidding other unlawful games and pastimes, whereby men may be induced to fall again to archery as well for their exercise and recreation as duly to observe the Statute, you shall signify to the people that it is not meant by the latter order for training of shot (also a meet and necessary weapon for service) that the reputation of the bow should be in any way obscured or taken away.

And to the intent that by your good example others may be the more invited to embrace the exercise of the bow, you shall do very well first to take order that your own servants are provided and put in exercise according to the Statute, causing them to give some good example in open show at the musters. We think it also very meet that in every parish within your several divisions, you appoint two or three sufficient and fit persons to oversee that those of the inhabitants who by the Statute are charged therewith, shall be immediately provided with convenient artillery and practised therein at such days and times as the statute provides. Likewise you shall make choice of other fit persons in each division to whom you may commit the overseeing of those appointed in the several parishes, that no default be made by their negligence. From the Court at Richmond, 20th July, 1577.

W. Burghley, E. Lyncolne, T. Sussexe, Frances Knowles, James Croft, Francis Walsingham.

At Bridgenorth, 30th July, 1577.

ff.177v–79 Whereas the Queen's Highness has been informed that since her late order for the increase and training of arquebus shot, the people are generally grown to forsake the exercise of the bow, imagining it to be of no use or moment for service. Howbeit in those instructions there was a special article inserted that no able archer should be drawn from practice of the bow to that of the arquebus, the non-observance of which article is like to bring the bow to be neglected and contemned if present order be not taken. And as therefore Her Majesty has given order to this Council that letters be sent through all the shires of its commission for keeping the bow in reputation ; and for that to revive the statute made in the 8th year of her reign. And as further Her Majesty intends to have the haven of Dover (now greatly decayed) put in repair ; and as to do this with less charge to Her Majesty and no great burden to her subjects, the readiest way to make a present mass of money and a supply to continue for a time, is thought to be by some contribution to be levied upon victualling houses, Her Majesty's pleasure having been signified through the realm by letters from the Lords of the Privy Council, a copy thereof having been sent to this Council. Her Majesty's pleasure therein is that the Council extend the instructions through all the shires within their commission ; the Council is to make special return of the proceedings in each county at a short day to come and has been so specially written to from the lords of the Privy Council.

It is therefore ordered by the Vice-President and Council that letters rehearsing the premises, with minutes of the aforesaid letters, be sent to the Sheriffs and Justices of the several counties and the chief officers of the cities and towns undermentioned, commanding them as well within liberties as without to see the contents of the said letters effectually put in execution. The better to do this, they are to divide themselves into their usual limits, sending to the chief officers of all liberties and privileged places notice of all this, so that every particular officer may yield account of the service as the case requires. Herein they are to make certificate to this Council both of their allotments as of their doings in the execution of the premises, setting down a perfect note of all the alehouses, taverns and inns with the names of their occupiers, as well in privileged places as elsewhere, that the just number may be known. The certificate is to be returned to this Court on or before 10th October next.

List of counties and towns :—Co. Gloucester ; Co. of City of Gloucester with direction to the Mayor, Sheriffs and Justices of the Peace ; cos. Worcester, Hereford, Salop, Monmouth ; twelve shires of Wales ; co. of town of Haverfordwest with direction to the Mayor and Sheriff there.

A. Corbett, N. Arnold, Ri*chard* Pates, Jherom Corbett.

The Number of Taverns, Inns and Alehouses in the several counties under mentioned, and privileged places within the same.

Co. Worcester, excepting the City of Worcester		447
Flint		67
Carnarvon		22
Merioneth		32
Liberties and boroughs of New Radnor and Radnor 'forrein'	Inns	1
	Alehouses	8
Radnor		105
Co. and town of Carmarthen [1]	Inns	14
	Taverns	2
	Alehouses	180
Town of Carmarthen	Inns	4 or 5
	Taverns	2
	Alehouses	31
Cardigan	Inns	9
	Alehouses	32
Anglesey	Inns and Alehouses	30
Beaumaris	Inns and Alehouses	14 and 2 taverns which have licence to retail wine when they can get any, and retail the same at home and the most part of the year are destitute.

These have not certified :—Gloucester, Hereford, Montgomery, Denbigh, Glamorgan, Brecknock, Pembroke, Haverfordwest, Monmouth.

The Assizes of the county of Salop were appointed to be held at Bridgenorth on the 22nd of this month of July, the Council then being there. The Justices of Assize Sir Robert Bell kt. and Nicholas Barrow serjeant-at-law fell extremely sick as they were . . . of an infection, which, as was learnt later, they caught at Oxford. Nicholas Barrow was removed to the house of Sir John Huband kt. one of the same Council called Hampton and there died ; the other Justice went to Worcester and held the Assizes there but also died of the ff.169v–70 July 1577.

[1] It looks as if the town of Carmarthen was included in the county and then given separately ; on the other hand Beaumaris and Radnor are probably not included in the reports for Anglesey and Radnor county respectively. The distinction between Inn, Tavern and Alehouse must often have been an arbitrary one drawn by the Sheriff or Justices : some of the reports make no such distinction. The failure of no less than eight counties and one county town to make any return reflects somewhat adversely on the efficiency of the Council in its local administration and reduces very much the value that would attach to a complete list of licensed houses for Wales and the Marches at this period.

infection. There also died one Richard Stephens a learned man who followed the Justices circuit, lately one of this Council; also died George Fettiplace Justice of South Wales, a worthy man and one of this Council. Divers others of the followers of the Justices were infected, by name William Fowler Esq., Clerk of the Assizes and George Ouston his clerk who hardly escaped; some others of their followers died in Oxford where besides the sudden infection that fell amongst the colleges, divers gentlemen of account that were at the Assizes there died, as one Simon Harecourt Esq., a gentleman of Staffordshire that had a *nisi prius* tried at the Assizes of Oxford and a servant of his named Gray the Solicitor of his cause.

These causes hindered the keeping of the Assizes for Salop so that the gaol being pestered with many prisoners which came from Shrewsbury in a boat some of the prisoners died upon the water in the boat and the rest returned to Shrewsbury again without trial.

Such as held cause of suit kept appearance at the Assizes and amongst others a matter of great importance for part of the Barony of Powes coming in question by writ of *nisi prius* at the suit of Henry Vernon and John Vernon Esqs. against one Hugh Huggins tenant to Edward Grey Esq.[1] of lands in Pontesbury. Although nothing was done in the cause yet on Sunday at night there happened a great affray between the servants of Henry Vernon and Edward Grey, wherein three of the servants of Mr. Vernon were hurt. Upon the morrow, the 22nd July, being Fair Day in Bridgenorth there was another great affray whereinto some of the servants of Mr. Leveson, Mr. Vernon and Mr. Gray [*sic*] were parties. In this affray many were hurt and long it was before they could be quieted notwithstanding the presence of the Vice President and Council and the serjeant-at-arms with the mace.

A Special Commission of Oyer et Terminer upon the death of the Justices of Assize. [*Latin.*]

Commission of *Oyer et Terminer* to Sir Henry Sydney, William E. of Worcester, Henry E. of Pembroke, James Croate, Sir John Throckmorton Justice of Chester, Sir Andrew Corbett, Sir John Perrott,

[1] Edward Grey, last of the feudal barons of Powys, had died in 1551 leaving most of the lands of his barony to his illegitimate son Edward Grey, though Pontesbury with the other manors of the barony in Shropshire were left to Jane Orwell, mother of Edward Grey. The succession was disputed almost immediately on behalf of the widow of the Baron, but unsuccessfully. Edward Grey took possession, conveying Pontesbury to Edward Leighton later. In 1584 Henry Vernon laid claim to the whole barony, but failed to prove that his grandmother was really (as he alleged) the daughter of an earlier lord of Powys, Richard Grey, and the claim was 'probably abandoned.' This entry shows that he had laid claim to part of the barony at least, some years earlier than 1584. (See *Powysland Club Collections*: M. C. Jones, *The Feudal Barons of Powys*, ii, App. xviii, p. 335 *seq.*: Owen and Blakeway, *Hist. of Shrewsbury*, i, 350.) We hear nothing further of the suit here mentioned.

Sir Nicholas Arnold, Sir Hugh Cholmondley, Sir John Littleton, Sir John Huband, George Bromley Esq., Attorney of the Duchy of Lancaster, Charles Foxe, William Glaseor, Edward (?) Peirce, Doctor of Laws, Edward Leighton, Richard Pates, Ralph Barton, William Leighton of Plasshe, Jheromne Corbett and Fabian Phillips, Esqs., or any six, of whom Sir John Throckmorton and Fabian Phillips are to be two, for the county of Salop. Letters Patent, dated at Gorhambury, 7th August, 1577.

[*Commission of Gaol Delivery.*]

Commission of Gaol Delivery to William E. of Worcester, Henry E. of Pembroke Sir John Throckmorton kt. Justice of Chester, Sir Andrew Corbett, Sir Nicholas Arnold, Sir Hugh Cholmondley, Sir John Littleton, Sir John Huband, Charles Foxe, William Glaseor, Ralph Barton, and Fabian Phillips, or any four, of whom Sir John Throgmorton, William Glaseor and Fabian Phillips must be three for Shrewsbury Castle. Letters patent dated at Gorhambury, 7th August, 1577. fo. 170ᵛ

[*Appointment of Whitgift, Bishop of Worcester as Vice-President of the Council.*][1]

To Sir Henry Sydney kt., President, Sir Andrew Corbet kt., Vice-president, and the others of the Council. At the humble suit of you Sir Andrew Corbet, in consideration of the illness of your body and to give you some relief after your travail, although we could be well content to have used you longer in our service, we have chosen John Whitgift Bishop of Worcester to serve as Vice-president. When he shall go there and be sworn of our Council there and acquainted by you with all things necessary to be known for the office, our pleasure is and we give you leave that you may depart from that office and return to us as you conveniently may. We are desirous to understand from you the state of the Marches. Our pleasure is that the new Vice-president shall have lodging houses and commodities as his predecessor enjoyed and that the members of the Council shall acknowledge his authority and always assist him by their best advice, as they owe service to God and Us their sovereign. Given under our Signet at our Manor of Richmond, 11th August, 1577. fo. 172.

[*Commission against Pirates.*]

The Queen to Sir Edward Mannxell kt., Sir Edward Stradling kt., fo. 173.

[1] The commission for Whitgift's appointment is not given by Strype (*Life and Acts of John Whitgift*) or elsewhere. Sir Andrew Corbet had been described by Gerard in 1575 as 'a very sickly man,' and he died just a year after his retirement, lamented by the Chronicle of Shrewsbury as 'such a jewel to all Shropshire and especially to the town of Shrewsbury that the like was not for many years before, for the loss of whom there was many a sorrowful heart, especially in the town of Salop' (*Early Chronicles of Shrewsbury*, ed. Leighton, 280).

and William Mathew Esq. Whereas divers evil disposed persons, forgetting the fear of Almighty God and the duty of good subjects have of late in sundry vessels frequented the coasts of this realm, robbing and spoiling quiet merchants and others both of this realm . . .[1]

fo. 154.

Montgomery; for the good rule.

At Llanidloes, 11th September, 1577.

Whereas the Council is given to understand that diverse felonies have been committed of late within the parishes named in the schedule annexed of the county of Montgomery to the great spoil of the poor inhabitants and the evil example of others. Wherefore the Council having referred to the Sheriff and Justices and having received from them the names of diverse suspected persons of that shire, have set down the articles annexed to be observed in the said parishes by both the Justices and the Overseers named in the schedule. For this purpose it is ordered that a letter mentioning the premises and containing a copy of the schedule, be sent to the Sheriff, ordering him as soon as possible to call together the Overseers and Justices of the Peace and not only to give to every Overseer a copy of the articles but to charge them all to publish and read the articles in their parish churches immediately after morning service on the next Sunday after receiving them. He shall warn the Justices and Overseers that if any of them are negligent in the discharge of their duties they shall be severely punished by fine or imprisonment. The Sheriff shall certify the Council of his proceedings on the last day of October.[2]

John Huband, Fabian Phillippes.

Articles set down to be observed within diverse parts of the county of Montgomery as hereafter ensueth :—

1. All persons suspect of any kind of felony are to be bound over in £10 with sufficient sureties upon 8 days' warning.

2. In every parish mentioned Overseers of the most honest and substantial men shall be appointed, with authority to do as follows.

3. None of the inhabitants of those parishes shall acquire any cattle until they be shewn to the Overseer and the number, colour and marks registered.

4. No such cattle shall be delivered back until they are viewed and the names of the receivers known by the Overseer.

5. Suspected persons shall mark cattle only twice in the year,

[1] Breaks off abruptly. The hand is distinct, but the position of the document may mark it as of this year.

[2] Cf. above, p. 146, for other reference to disorder in Montgomery.

viz. :—May and Michaelmas, or a week before or after, the Overseers, or at least two of them, being present.

6. No suspected person shall kill any cattle save after giving notice to the Overseer and in the presence of at least two of them.

7. No suspected person shall sell any cattle until the Overseer has seen them and knows in what market they are to be sold.

8. Henceforth no man but the lord of the soil shall crop both ears of his cattle.

9. No suspect shall spend one or more nights out of his parish without giving notice of his intention to the Overseer.

10. No suspect shall lodge any person for a night or more without informing the Overseer of his name and business.

11. No suspect shall keep any servant unless they will answer for his forthcoming.

12. The Overseers and Constables shall make privy search once every week and afterwards according to circumstances.

13. The Overseers shall take 'avow' [? a view] of all cattle possessed by the suspects between the present time and the feast of St. Luke next.[1]

14. The Overseers or two of them shall have authority to apprehend any of the suspects or others and to bring them in custody before the nearest Justice of the Peace, to be examined and dealt with as the case may require.

15. The Justice of the Peace in such case shall examine the suspected person and commit him if there be cause or bind him upon 8 days' notice or else certify the Justice of Assize upon the first day of the next sessions why he did not so commit or bind him over.

16. The Overseers shall at every Great Sessions deliver to the Justice in writing the names of all those suspects whom they brought before the Justices of the Peace, together with the cause of their suspicion.

17. The Justices of the Peace shall each quarter report to the Council how the overseers have executed these articles.

18. The Overseers shall make monthly report to the Justices of the Peace of the state of their parishes and the particular offences committed from time to time.

List of Parishes and those suspect :—

Carno :—Rytherghe ap Llewelyn, Rice ap Lewis, John Alcoke, John Felkin. ff.155–57.

Trefeglwys :—Edward Morris, Janekin ap Owen ap Gryffydd, Richard Browne, Thomas Horsley, Jevan ap Ednyfed, Deonice Uppton.

Llanwnog :—Morrice ap Jevan ap Howell, Morice ap Jevan ap Howell ap Meredydd, John Parrence, Richard Swancott, David ap Howell ap David ap John.

[1] 18th October.

Llandinam :—Hughe ap John, Morrice David ap Jevan, Morice ap Owen ap John, Roger Gardiner, John Cottrell, David ap Llewelyn, Nicollas Bennet.

Penstrowed :—Thomas Jones, Lewis David ap Llewelyn.

Llanidloes :—Morgan ap Llewelyn, David ap Thomas ap Janckin, John Willson Winne, David ap Lewis Comro, Rice ap Lewis, Jevan David ap Howell ap William, James Hamon, Raulff Cottrell.

Llangurig :—David Morice, Janckin ap Lloid, Morice ap Reece ap Morice, Morice ap Jevan ap Rees ap Dio, Janckin ap David ap Jevan ap Rees, Jevan ap Thomas ap Jevan Gwin, Jankin ap Jevan ap Bedo, Jankin ap Rees ap Morgan.

Llanbrynmair :—John ap Sir David, Humfrey ap Thomas, John ap Jevan ap Morice, Morice ap Howell, David Goch, Thomas Bebb, David ap Gwilliam ap Bedo ap Gitto.

Llanrhaiadr (in Co. Denbigh) :—Peers Lloid, Robert ap Hugh ap Owen, Caddr ap Owen, Lewis ap David ap Jevan ap Thomas, Moris ap John ap John, Gruffydd ap Caddr.

Llanfyllin :—David Lloide Vethints [?], Griff ap Hugh ap John, Jevan Gryffydd Kery, Gruffydd David Goche, David ap Hugh ap John, Jevan ap Meredith ap David.

Llanfechain (Llanveghen) —John ap Robert Lloid, John David ap Rees, Robert ap Hugh, Jevan David ap Ythell.

Buttington :—Gilbert Humphrey, Goffrey Richard, Hughe Porter.

Llansaintffraid :—John Vaughan, David Lloid ap Meredydd, Robert ap Rynalt.

Criggion :—Robert Williams, Reignold ap Llewelyn ap Reignold, Hugh ap Humfrey, Geffrey ap Robert.

Aberhafesp :—Richard Parton, Rees David ap Jevan, Morice David ap Tidder, Morice ap Jevan ap David.

Llanllugan :—Edward ap Meredydd, David ap Rees, Cadwallader David ap Gwilliam, Rees ap John.

Llanerfyl :—John ap Owen, Jevan ap Howell, David ap John ap Goch, John Hawkin, Thomas Bedcherett, John ap Jevan ap Howell, David ap Harrie.

Llanfair [Caereinion] :—Robert ap Jevan ap Owen, John ap Jevan David ap Gittin, Jevan Llewelyn Gwinn, Jevan David ap David, Thomas ap Jevan Gwyne, Rees ap Howell ap John Dio, William Wheler, Rhydderch ap Jevan, David ap Gittin.

Llangyniew —John ap Jevan ap Jevan Lloid, David Goch ap Llewelyn, Jevan ap Robert, John Bowdler.

Llanwddyn (Llanothyn) :—John ap Howell Bedo, David ap Jevan ap John Dio, Edward ap John David Vaughan senior, David Lloid ap David Meredydd, Howell ap David.

Llanfihangel (yn gove) :—Thomas ap Owen ap Meredithe,

David Goch ap Jevan, John ap Hugh, Jevan Thomas Gittin Goch, Gryffydd Goch, David John ap Hugh, Jevan Caddr ap Morice, David ap Caddr ap Gryffydd.

Pennant :—Howell ap Rees ap Morice, Lewis ap Owen, Rees ap Owen Goch, Thomas ap Howell ap Jevan Gryffydd, Rhydderch David ap Meredith, Thomas ap Meredith.

Hirnant :—John ap Jevan ap John, Caddr ap Gryffydd, David ap Thomas, David ap Lloid, David ap Rhydderch.

Llangynog :—Morice ap Jevan ap Howell, Lewis ap Caddr, John Thomas ap Eigioon, Rees ap Gryffydd Goch.

Cemmaes (Kemmeys) :—Edward Herbert, Robert Vaughan, Robert Gryffydd, Gryffydd ap Jevan Lloid, Morice ap Gryffydd ap Gwilliam, Lewis ap Howell Wynn.

Llanwrin :—John ap Jevan Lloid, Rhydderch ap Rees ap Rees, Hugh ap Howell, Meredydd ap Gryffydd.

Machynlleth (Machynthtneth:)—Harrie Vaughan, Owen ap James, David Llewelyn Gryffydd, Owen John Llewelyn ap Gryffydd.

Penegoes :—Llewelyn Goch, Owen David Bannor, Howell ap Lewis, Morice ap David.

Darowen :—Richard ap John ap Hugh, Anthony Studley, Gwilliam ap Gryffydd ap Jevan, Gwilliam ap Howell ap Morice, Lewis ap Gryffydd, Howell ap Owen ap Gryffydd.

Llanfihangel (yn kerry) :—Richard ap John ap Meredyth, Morrice ap John ap Rees, John ap Edward, Thomas ap David, Rees ap Owen, Owen ap Madock, John ap Mathew, Mathew Talor.

Mochdre (Moughtrey) :—David Lloid ap Jevan Morgan, Lewis ap Edward, Richard William.

Garthbeibio :—David ap John ap Jevan ap Egnon, David ap Meredyth, Gryffydd ap Rees ap Howell, Jevan Gwynn ap John ap Morice.

Llangadfan :—Edward Hanmer, Morice ap Jevan ap Gryffydd, Rees ap Jevan Bedo, Thomas Llewelyn ap John, Mathew Dino, Jevan ap Mathew, Llewelyn Goch.

At Ludlow, 11*th October*, 1577.

ff. 179v–80v. For repressing of robberies.

Whereas the Council, for the repressing of robberies, felonies, riots and other disorders, did heretofore [1] charge every Justice of the Peace and head officer of boroughs and corporate towns not only to have special care to the good government of their limits but also from time to time to make true certificate to the Council of all robberies, felonies, riots and other outrages with the names of the offenders, within 20

[1] Above, p. 151.

days of the offence. And although the Justices and officers have been many times admonished of their negligence therein, yet the sundry and manifold robberies, felonies and other disorders and outrages generally in all places of this commission be such and so great and so daily increase as without some speedy amendment the good and quiet sort of people, living by their painful labour, shall be terrified to travel on or about their necessary affairs and business for fear of being robbed of their goods or of some other violence to their persons to be offered by rogues and vagabonds who, without stay or maintenance, live by the fruit of other men's labours, haunting fairs, markets and other places of resort and there making or moving affrays and other outrages to the terror and great annoyance of the quiet and simple sort. The Council attributes this to the negligence of the officers both in not apprehending and punishing offenders and in failing to report thereon to the Council. The Queen herself and Her Majesty's Privy Council, having intelligence of this state of things, have lately expressly charged the Council to have great regard to the good government of the inhabitants of this commission, using such methods therefor as their predecessors have done.[1]

Therefore as the Council minds seriously to travail to repress all disorders, it is ordered that letters be directed to the Sheriffs of the counties under-named, mentioning the premises, commanding them to call together all Justices of Peace within their counties other than Lords, Barons, Bishops and such as are of this Council, all Mayors, Bailiffs, Portreeves and other head officers of every town and liberty within the shire. The Sheriffs are to bind them by obligations of £100 to the Queen's use that whilst in office they certify the Council within 20 days of any robbery or other felony or affray committed by 3 men or above, Comortha or other unlawful gathering under colour of Comortha without sufficient licence from the Council. Also that they shall do their utmost to apprehend the same offenders and bind them to appear before this Council or commit them to ward as the case may require, certifying the Council thereof. The Sheriffs shall let the Justices of the Peace and other officers know that the charges of the bearer of every such certificate shall be borne and paid and that if any of them refuse to enter into that bond their contempt in so doing shall be certified to the Lords of Her Majesty's Privy Council. The Sheriffs are to certify the Council of their proceedings the 30th November next upon pain of £40.

[1] This may refer to the 'Orders set down by the Queen for the better direction and reformation of Her Highness' Court in the Marches of Wales, dated 17 July 1577 (*S.P.D.*, 1547–80, 552), or to a letter of the Privy Council to Sri Andrew Corbet dated December 1576, but endorsed 24 March 1577, which enjoins strict compliance with the orders previously sent, i.e. the Instructions of 1576 (*A.P.C.*, ix, 1575–77, 318; *S.P.D.*, 1547–80, 532).

List of Counties —Hereford, Salop, Gloucester, Worcester, Monmouth ; the twelve shires of Wales.

Joh*annis* [Whitgift] Wigorn*ensis*, James Croft, John Throckmorton John Hubande, Ellis Price, Jherom Corbett, Fabian Phillippes, Henry Towneshende.

[*Petition.*]

In his most humble manner sheweth unto your good lordships that I your honours suppliant have done, do and will be glad to do any service which lieth in me to do about your honour's Clock in this Castle of Ludlow. May it please your lordships to understand that since your lordships gave me charge to look unto the same I have done as my duty is in the dressing and keeping the same clock and will be glad to look to the same as I have done. Therefore may it please your lordships to extend of your lordships' honours' goodness, to bestow an annuity, whatsoever shall be thought good of your honours to give me for that time which is past. And if it shall be thought of your lordships that I shall dress, keep and see to your clock, that then your lordships will appoint me so, and what annuity I shall receive and of whom. And in so doing I shall be bound to pray unto God for your lordships. And thus for God's love, fo. 201v.

Your lordships at commandment, Thomas Higge, deacon in Ludlowe.

At Ludlow, 9th February, 1578. fo. 202

Upon sight of this petition, and consideration thereof, and of the diligence used by the said petitioner in attending and setting forward of the clock within this castle, and the keeping of the same going, it is ordered that the petitioner shall have for his diligence in keeping the said clock since its setting up until now the sum of 6*s.* 8*d.* And shall also have yearly annuity or stipend from the Clerk of the fines attending the Court the sum of 13*s.* 4*d.* for the maintenance, setting forward and keeping of the said clock going, and for this shall have free passage from time to time. The copy of this order shall be sufficient warrant and discharge unto the receiver of the fines for payment of the said sums. Higge, Diaconus

Jo*hannis* [Whitgift] Wigorn*ensis* . . ., F. Phillippes.

[*Letter to the Council.*]

May it please your lordships to understand that as we formerly advertised you we have called before us all the Constables and Overseers of our limits in this county of Glamorgan within fo. 153 Glamorgan.

the five western hundreds viz. :—Ogmore, Newcastle, Neath, Llangyfelach and Swansea, charging them to be heedful both in preventing and in presenting before us monthly all misdemeanours. We have since had several meetings with them to receive these but neither by them nor by ourselves can we learn (God be thanked) of any routs, riots, affrays, burglaries, murders or any other notorious disorders saving a few trifling matters of 'pickery'[1] the offenders wherein are mostly either apprehended or prosecuted according to the offence. Glamorgan, 14th February, 1578.

Edward Mansell, Edward Stradling, W. Harbert, Henry Price.

[*Letter from the Privy Council.*]

fo. 151. To our very good lord the Bishop of Worcester, Vice-president of the Council in the Marches of Wales. The Queen having given us straight commandment to give further order for the observance of Lent and Fish days, we have sent our letters for that purpose to the Sheriffs and Justices of the Peace of every county and enclose a copy herewith that your lordships should have care of its execution within your jurisdiction. From Hampton Court, 4th February, 1578.

N. Bacon, C.S., W. Burghley, A. Warwick, H. Hunsdoune, F. Knollys, James Croft, Christopher Hatton, Thomas Wilson.

[*General letter from the Privy Council.*][2]

Albeit that in the opinion of all good and obedient subjects it may well be thought that the good laws for the observance of Lent and fish days, with our letters from year to year declaring Her Majesty's pleasure, the matter itself also so agreeable to the nature of this our country environed in all parts by the sea, apt to be provided and furnished with fish and for the use and exercise of shipping and mariners—being the chiefest fortresses for the defence of the realm—might be enough to ensure the performance of those laws. Yet as we understand they are negligently observed in sundry parts of the realm whereby has arisen a great scarcity of victuals to the great grief of Her Majesty and the hurt of her subjects, it is thought good that like as in Her Majesty's household, the city of London, and other places near by, straight order is taken for the observance of Lent and Fish days, so we should require you very earnestly to devise means for their more strict observance. We would remind you that nothing is of more avail in that regard than

[1] Pickery, petty theft (*O.E.D.*).

[2] *A.P.C.*, x, 156, 3 Feb. 1577 [8], 'Letters to the Sheriffs and Justices for observation of Lent and fish days.' Cf. above, pp. 100, 116.

your own example. Bonds shall be taken of all butchers, innholders and victuallers that they neither kill nor sell flesh meat in those seasons nor allow it to be in their houses. For the better execution of this we require you to impart the meaning of this letter to all Mayors and head officers of towns and thoroughfares, and also to the Constables and petty Constables within your division, that they may inform you of any offenders against the laws, which offenders you shall proceed duly to punish. And this being Her Majesty's meaning without any intention of superstition (which by all her acts she seeks to remove) we doubt not but that all of you will attend carefully to its execution. From Hampton Court, 4th February, 1578.

N. Bacon C.S., W. Burghley, A. Warwick, H. Hunsden, Frances Knollys, James Croft, Christopher Hatton, Francis Walsingham, Thomas Wilson.

Worcester, 17*th February*, 1578.

Upon receipt of the annexed letters sent to the Council from the Privy Council it is ordered that letters of tenor of the minute annexed be sent to the Sheriffs and Justices of the Peace in the undermentioned counties, ordering them to return certificate of their doings with all convenient speed. fo. 152

Counties.—Gloucester, Worcester, Salop, Hereford, Monmouth ; the twelve shires of Wales.

Also the Mayors of the cities of Gloucester and Hereford, the Bailiffs of the city of Worcester and the town of Shrewsbury.

Jo*hannis* [Scory] Hereford*ensis*, Jo*hn* Throckmorton.

[*Signet Letter.*][1]

'By the Queen.'

[Identical with the letter of the Privy Council to all Sheriffs and Justices of the Peace, save in date.] Given under our signet at our city of Worcester, 17th February, 1578. ff.152–52

The Office of Water Bailiff of the River Severn [Latin: Letters Patent].

Grant to Humfrey Michell Esq., of the office of Water Bailiff of the River Severn in the county of Gloucester and of its tributaries and ditches from the bridge at Gloucester to the source of the river. He is to hold the office himself or by deputy during his life with all the fees, regards and emoluments customary to the office or as the fo. 184.

[1] This is a copy of the letter sent out by the Council. These letters were not usually entered in the Register any more than the letters of the Privy Council find a place in *its* Register. See above, p. 55, for another example. By this it would appear, as indeed we should expect, that the Council merely reissued the letters of the Privy Council, sending them out under their own signet.

water bailiffs on the Thames or elsewhere in the kingdom do. This despite any former gift by us or our predecessors. These letters are to be witness thereto. Westminster, 16th June, 1578.

By Writ of Privy Seal,

[*Endorsed—A Patent for Humphrey Michell Esq. Powle.*]

fo.184v–86 The Queen to Humfrey Michell, water bailiff of the River Severn. Commands that at certain places within his bailiwick he should from time to time make proclamation in the following terms[1] :—The Queen having certain knowledge that in her River Severn and certain of its tributaries the spawn of trout, salmon, salmonets and other fish are yearly greatly destroyed by fishermen using ' unsized ' and unlawful nets against the ordinances and statutes made thereabouts, for reformation thereof has appointed Humfrey Michell Esq. to be Water Bailiff of all the R. Severn within the county of Gloucester and of all creeks, ditches and waters running into it from the bridge of Gloucester to the head of the river, to have oversight and correction of all faults committed thereon ; and therefore her Majesty straightly commands that no man of any degree take any trout, trout salmon, or salmonets in the river from 1st October to 1st April on pain of forfeiture of 10*s.* the first time and each time after, 20*s.* and punishment at the discretion of the Water Bailiff. Also, no one shall use any manner of draught nets or lay any wheels, nets, coops or any other engines in the months of March, April and May nor in the same season take any draught of fish either in the Severn itself or any of its tributaries, without the oversight of the Water Bailiff or his deputy on pain of forfeiting their nets. No person shall at any time use any kind of casting net upon pain of forfeiting each time 6*s.* 8*d.* and the net. No man shall possess or use nets, sheaves or sheave nets unless they are made after the standard mesh, and no one shall use clear wheels or drift wheels or other engines unless they are likewise of standard mesh, on pain of their forfeiture, and punishment. Every man is to keep his assize in each of his nets and wheels, according to the ancient standard, upon pain of forfeiture. No one is to bring to market roaches for sale unless two be worth a penny, nor pickerel, perch or pollard unless they are 14 inches long according to the Queen's standard, on pain of forfeiture thereof. The water-bailiff or his deputy shall in every market, as well within liberties as without, make search for all such offenders. Also no man is to use any ' cupping ' in the river on pain of forfeiture the first time 10*s.*, every other time 20*s.* Further no one shall fore-

[1] Latin thus far, then English. The Statutes referred to are 1 Eliz. c. 7, ' An Act for the preservation of spawn and fry of fish,' and 5 Eliz. c. 21, ' An Act for punishment of unlawful taking of fish, deer and hawks.'

stall or stop the stream with ' flake ' or stake or hedge or make any new weirs without royal licence, or the oversight of the Water Bailiff, on pain of forfeiture of 100 marks. No one shall use any angle-rod, hooks or line, or lay any pike hooks on pain of forfeiture of 100*s.* and punishment. Also, the Water Bailiff or his deputy may have as his fee one draught yearly of every gin lying or going within the said river without any denial. The Water Bailiff shall keep a Court in all such places as he thinks necessary as often as he sees cause, with the knowledge and presence of one of the Justices of the Peace in any county or counties. In execution of these orders all Sheriffs, Bailiffs, Constables and other officers shall assist, these letters being sufficient warranty therefor. Letters Patent at Gorhambury, 30th June 1578. *Powle.*

To all true open people to whom this present shall come. Humfrey Michell of Old Windsor in the county of Buckingham, Esq. sendeth greeting in our Lord God Everlasting. Whereas the Queen by letters patent under the Great Seal, dated Westminster, 15th June last, has granted to the said Humfrey Michell the office of Water Bailiff of the River Severn in the county of Gloucester, to hold by himself or by deputy for his life, with all fees and profits belonging to the office, as largely as the Water Bailiff of the River Thames or any other Water Bailiff within the kingdom has or has had. Now know ye, I the said Humfrey Michell for divers good and reasonable considerations do hereby make my loving friends Thomas Cole and Peter Parcke of Tewkesbury, yeomen, my lawful and sufficient deputies during my pleasure with all fees and profits belonging to the office of Water Bailiff. Whatsoever the said Thomas Cole and Peter Parcke, or either of them, do lawfully in exercise of the said office, I, the said Humfrey Michell promise to ratify. In witness to this writing of deputation the said Humfrey Michell has set his hand and seal. Dated 1st July, 1578.[1] ff.186–86

Humfrey Michell.

Sealed and Delivered in the presence of us —David Bleke, John Bland, Richard Danford.

T. Sherer.

At Worcester, 20th June, 1578.

Whereas the Queen has of late by letters patent granted the office of Justice of the counties of Carmarthen, Cardigan and Pembroke to John Puckering Esq.[2] of this Council, to exercise himself or by deputy fo. 173v. The nomination of Mr. Puc-

[1] Cf. below, pp. 211–12.

[2] In succession to Geo. Phetiplace, Esq., deceased of the plague (see above, p. 172). There is a notice of Puckering in *Dict. Nat. Biog.* and mention of his work as Justice in South Wales in *A.P.C.*, x, 306, 321.

kering's deputies in his circuit of South Wales.

appointed by this Council in writing. And although the said John Puckering having appointed his circuits to begin the 23rd inst intends to execute his charge himself, yet lest sickness or any other reasonable cause should prevent him so doing either now or hereafter he has humbly requested the Council that the persons undernamed or any one of them may serve as his deputy. It is therefore ordered that these persons undernamed, or any one of them, shall supply the office aforesaid for keeping the Great Sessions in any one of the counties mentioned above as occasion shall require according to the said letters patent. This order shall be sufficient warrant to those concerned.

Persons' names :—George Stratford, Thomas Spencer, Edward Davyes, Esqs. Jo*hannis* [Whitgift] Wigorn*ensis*, F. Philippes.

T. Sherer.

[*Letter to the Council.*]

fo. 158. May it please your lordships to be advertised that upon receipt of the Queen's and your letters dated at Her Grace's castle of Ludlow, 2nd February last,[1] to the Sheriff and Justices of the County of Carmarthen for the renewing of the order of Overseers in sundry parishes within the said county, we the said Sheriff and Justices of the Peace whose names are subscribed assembled as speedily as we could to consider the minute of instructions contained in the said letters. For the better and more speedy execution thereof we divided ourselves into our usual limits and Hundreds, in which we have sworn as many honest and substantial men as we thought meet to be Overseers in the parishes where they were required. We have entered their names in a book and delivered to them copies of the instructions, causing them to be openly published in the parish churches ; the books we send your lordships, signed by so many of us as are in the allotments concerned, as the instructions direct. As the Overseers monthly advertise us, so shall we, God willing, notify you quarterly. Carmarthen, 18th March 1579. Your lordships to command,

Ric*ardus* [Davyes] Menev*ensis*, Thomas Lloyd Esq. Sheriff, Thomas Williams, Gryffydd Rees, William David, Thomas Vaughan, Lewes Gwynne, Walter Vaughan, John Powell, Richard Phillipes, George Powell, Morrice Jones, Phillipe Williams, Gryffyd Vaughan.

ff. 158v–161 Carmar- Book containing the names of Overseers appointed and sworn in the parishes of the hundreds mentioned herein, by the Sheriff and

[1] There is no reference in the Register to the despatch of such letters.

Justices of the Peace in the county of Carmarthen. Made 18th March 1579. then Overseers.

Hundred of Derllys.—Parishes of—

Llangan (Llangange) :—Rees Morris, Nicholas Edwards, John David Thomas, Thraherne Bedoe.

Llanstephan and Llangunnock (Llangonog) :—John Davy, Morris John Bedoe, John Rees, John Gryffydd Lewes.

Llandilo-Abercowin :—Owen Lewes, Harry Gryffydd.

Laugharne (town and parish) :—Watkin Hughe, Richard Edwards, David Roche, David Wilcox, William Batha[ap Atha].

Eglwys-Cymmin (Egloyskemmin) :—Rees Llewelyn, David William Thomas, Lewis Buylte, Richard Lewes.

Llanddowror :—Morrice Williams, Harry Rees ap Howell.

Llansadwrnen :—Richard Reynolde, David Coyder.

Pendine :—David Morris, Erasmus Wilkes.

Cyffic (Kyffige) :—Richard Bielte, Lewes Edwarde, David Hitchin, David John Phillipes.

Llanfihangel-Abercowin :—Owen Phillipes, John Lewes ap John.

Mydrim :—Howell ap Howell Bedoe, Harry Thomas ap Jevan, Jevan ap Howell Jevan, John ap Howell Gryffydd, John Gwilliam Bedoe, Eymon John Meredydd.

St. Clears :—Howell William, Harry John Browne.

Llanfallteg :—Jevan Gitto Jenkins, Lewes ap Jevan Dd (? David).

Llangain :—Morrice William Beynon, Rees Thomas ap Owen.

Henllan-Amgoed :—Rees ap Gryffydd, Rees ap Lewes, Owen ap David, William Hancoxe.

Egremont (Egernon) :—Thomas Lewes, Phillipe ap Jevan.

Llanwinio (Llanwouye) :—Howell ap Howell, Owen Gryffydd, Rees ap Jevan, Rees David Jevan Wiethe,David ap Owen ap Rees.

Llanboidy (Llanbeydy) :—Thomas Lewes, John Morris Bowen, Lewes John, Rees David Llewelyn, Jevan David Bowen, Rees Harry Dio.

Llanglydwen :—Rhydderch John ap Rees, Rhydderch ap Rees Beynon.

Llanynnin (Llangenen) :—John David Hopkin, Thomas Beyne, John Nicholas.

Cilymaenllwyd and Castle Dyran :—Phillipe Jenkin, Jenkin Morris, Owen ap Meredydd.

Llandysilio :—Thomas ap Rhydderch, John Thomas, Gitto Bowen, Morris ap Moris, Gryffydd Thomas Bedo, Jevan David Llewelyn.

Thomas Lloid Esq., Richard Philippes, William David.

Hundred of Cayo. Parishes of—

Conwil-Caio (Kunoilgaios) :—John Lloid ap Thomas, Thomas ap

Harry Havard, Rhydderch ap John James, John David ap Jenkin, Morgan David Coch, David Gryffydd, Morgan ap Owen, Jevan ap Hugh, David ap Rhydderch, Thomas ap Eynon, Thomas Gwilliam ap Rees Hir, Thomas ap Jevan ap Rees Goch, Gwilliam Rees, Gwilliam Gwalter.

Llansawel :—Morgan Thomas Morgan, James Thomas a Powell, Thomas Powell, William Llewelyn, David Llewelyn ap John, Jevan Thomas ap Howell.

Cilycwm (Kylicomes) :—Morgan ap Rees, David Dy, Hopkin Thomas, David ap Lewes, Morgan Gwilliam Thomas, Gryffydd David ap Gwalter, Thomas ap Owen Llewelyn Goch, Nicholas Glover, Morgan Thomas Gwilliam Morgan.

Llanwrda (Llanwidas) :—Rees Powell ap John, Gryffydd ap Rees ap Gryffydd, Howell ap Jevan, David Gwalter Morgan Thomas.

Llandingat in Cayo :—Rees ap Rees ap Eynon, Jevan David Berckley, Jevan Thomas Morgan.

Llanddausant :—John ap John, Harry Morgan Gryffydd, Rees Morgan Sir Rees.

Llandilo in Caio :—Thomas ap Jevan, Morgan Gryffydd David ap Gryffydd, Thomas Lloid David ap Rees, Thomas ap Howell.

Ychan :—William Jenkin, David ap Howell, Llewelyn ap Howell, Rees ap Lewes.

Talley (Talleies) :—David ap Howell ap Rees Ychan, Rees Llewelyn David ap Howell, David ap Jevan ap Harry, David Llewelyn ap Jenkin, Rhydderch Gwilliam Llewelyn, Rhydderch Morgan Phillipe.

Llanycrwys :—William Thomas ap Jevan, Thomas ap Jevan ap Gwilliam.

Commote of Iskennen, part of Hundred of Kidwelly :—

Llanddarog :—Hopkin John Llewelyn, Morgan David Dio, Harry ap Gove, David Thomas Harry, Jevan Thomas, John ap Rees, David ap Richard William.

Llanarthney :—David ap William John, John Walter ap Rees, David Morgan ap Rees, David ap Jevan, Gwilliam ap Rees, Harry ap Jevan ap Rees, Rhydderch Thomas Dio, Phillipe Jenkin, John David ap Traherne.

Llanfihangel-Aberbythych (Abbithe) :—Lewes Aubrey, Morgan Gwilliam ap Jevan, John Morgan ap Jevan Goch, Rhydderch David, Harry ap Jevan, Llewelyn Morgan, David ap John David.

Llandilo (in Iskennen) :—John David Llewelyn ap Rees, Hopkin Howell, David ap Rees ap Jevan a Powell, Gwalter John Morgan, David ap Harry, David Jeffrey, Rees David ap Rhydderch the younger, Thomas William John Lloid, John Gwalter ap Rhydderch Inne.

Llandebie:—Hopkin John ap Gwilliam, Howell David ap Ritherach, Rees Bedo Morgan, Thomas ap Jenkin, David David Hir, Harry ap Owen, David Goch, Thomas Llewelyn Yehan, Jevan Morgan Thomas.

Bettws :—William Jenkin Llewelyn Morgan, Gwalter Morgan Gryffydd, Gwalter Morgan, David Gryffydd, David Richard Thomas Jevan, Thomas David Llewelyn ap Rees, Jevan David ap Jevan Meredydd, Ritherach Jenkin Llewelyn Morgan.

Griffith Rees, Walter Vaughan, Morgan Johnes, Phillipe William.

Hundred of Elvet.—Parishes of :—

Abergwilly :—Griffith Thomas John, Jevan ap William Gryffydd, John Lloid ap David, Rees ap Lewes ap Howell, William David, David ap Meredydd senior.

Llanegwad :—Jenkin David ap Jevan Gryffydd, David Howell, Jenkin David ap David, David ap Jevan Thomas, John William John ap Edward, Rees David ap Dynon.

Llanllawddog :—Gryffydd John David ap Jevan, Jevan ap William ap William, David ap Dynon Llewelyn Jevan.

Llanpumpsaint :—Lewes David Lloid, William John David, Jevan Gryffydd, Owen ap Jevan Jenkin.

Newchurch :—David David ap Eynon, Jevan ap Rees Jevan Lia, Richard Thomas, Rees ap David.

Merthyr :—William David Llewelyn, William David William, Hugh ap Jenkin.

Trelech-ar-Bettws (Trefleghar-Bettus) :—Gryffyth ap Rees senior, John Kynyon, Lewes ap Rees ap Howell, Edward Walter, Lewes Thomas, Howell ap David.

Cilrhedyn :—Gr ffith David Gitto, Llewelyn ap Jevan ap Rhydderch, Rees Kynyon ap Dynon.

Cenarth :—Gryffydd Morris, Howell David ap Jevan, Thomas David Gwalter, John William Philippes, Thomas Jenkin Weavor.

Penboyr :—Harry John David ap Jevan Goch, Owen ap Rees, David Gitto, Rees David Jenkin, Rees David Goch, Thomas Gryffydd.

Llangeler :—Morrice David ap David, David ap Gryffydd, David ap Harry, Morris Thomas ap Rees, Llewelyn David Gitto.

Conwil Elfet :—Gryffydd Howell, Rees Thomas, Jevan ap Jevan Gryffydd, David ap Jevan ap Howell, David Llewelyn.

Abernant (Evernante) :—Howell Morris, Jenkin Thomas, Eynon Gitto Thomas, David Llewelyn Deyo.

Ricardus [Davyes] Menevens*is*, William David, Lewes Gwinne.

Hundred of Perfedd (Peverth) : Parishes of :—

Llangadock :—Thomas David John, Llewelyn ap Gwilliam, John Lloid Jevan, John Walter Morgan Gryffydd, Gryffydd ap Owen, William Lewes, Gwilliam David Llewelyn.

Llanddausant (Llanthoysante) :—David Meredydd Watkin, Rees Morgan Owen, John Rees Owen.

Myddfai :—Morgan Jevan Llewelyn, David Jevan Llewelyn Eynon, Morgan Jevan Morgan, Rees ap Jevan ap David, Lawrence David Bedo, Morgan James.

Llandingat :—John David Dynon, Rees Lloid ap Howell, Rees Gwalter Rees Moyth, David Lloid ap Howell, John Rees Morrice, Jevan David Howell Gitto.

Llanfairarybryn :—Thomas William Morrice, Rees David Howell, Gwilliam Llewelyn, David Thomas ap Owen, Morrice ap Owen, Thomas Morgan Gwalter, David Thomas ap Owen, Rees Goch.

Llansadwrn :—Jenkin David Harry, Howell David ap Howell, Lewes David Lloid, Jevan Lewes, Thomas Williams, George Powell.

Hundred of Cathinog : Parishes of :—

Pencarreg :—David David ap Llewelyn, William Thomas ap Jevan Lloid, Thomas David Lloid Jevan Rees, Phillippe David Gwilliam William, David ap Rees Gryffydd, Owen William, Thomas David Lloid, David Jenkin Thomas, James ap Rees.

Llanboidy :—Rees Gryffydd David Lloid, Rees Lloid David ap Rees, John Powell Jenkin.

Llanfihangel-Ar-Arth (Yerrorth) :—Gryffydd ap Jevan ap Rees, David Lloid ap Jevan, Gryffydd John Llewelyn Lloid, Rees ap Jevan ap Eynon, Thomas ap Jevan Bengrith.

Llanllwinio :—Hugh ap Jevan Thomas, Rees ap Howell ap Gwilliam, Howell David ap Howell, David Lloid ap Howell.

Llanfihangel-Rhosycorn :—Lewes David ap John, David ap Eynon Walter, Jevan ap Rees Gryffydd, David Phillipes, Jevan Gwalter, Morgan Jevan ap Rees, William Powell Fletcher, John Jenkin, Jevan Llewelyn ap Jenkin.

Llanycrwys:—Thomas Llewelyn ap Rees, Rhydderch David Thomas.

Llangathen and Llanfihangel (Cilfargen) :—William ap Owen ap Rees, John Rees ap John, Anthony Morgan, Morgan ap Jevan Goch, William Owen David Jenkin, John David William, Morgan John David Gryffydd Ychan, Jevan David Llewelyn ap Rees.

Llanfynydd (Llanvenith) :—Harry William ap Jevan ap Rhydderch, John Lewes ap Gwilliam, Phillipe John Deyo, Lewes John Deyo, Morgan Thomas, David David Lloid.

Llanegwad :—George ap John Llewelyn, Harry Rhydderch ap Robert, John Jevan David Gryffydd, Rees Harry ap Rhydderch.

Ricardus [Davyes] Menevens*is*, Walter Vaughan, John Powell, Morris Johnes.

Commote of Kidwelly : Parishes of :—

Llangendeirne :—William Lloid, Jenkin Perry, Gryffydd Thomas Imaor (?), William David John, Lewes David John Rees, Morgan Howell Jevan Gryffydd.

Llandefeilog :—Hugh David ap Roberts, Richard Vaughan, William John Richard, William ap Jevan Goch, David ap Jevan Crahew, Gryffydd David ap William.

Llangunnor (Llangonor) :—Thomas ap Rees, Jevan John ap Jevan ap John, William Howell William, David ap Rees ap Jevan Gwalter, Gryffydd John David ap Gwalter.

Pembrey :—Jenkin Arnold, Gryffydd John ap Jevan Gwilliam Ychan, William John Jenkin, Jenkin ap Jevan ap John, David John Bedo.

St. Ishmael (St. Ismelles) :—Jenkin Thomas John Ychan, David William ap Jevan Vicar, Morrice Thomas David, Owen ap Gwilliam, David ap Gwalter ap Rees.

Kidwelly [St. Mary] :—John Thomas ap David, John David John Llewelyn.

Thomas Vaughan, Gryffydd Vaughan, Walter Vaughan, Morrice Johnes.

Carnwallan Hundred : Parishes of :—

Llanllwni :—Hugh Lewes, Owen Hopkins, John Gwinn ap Jenkin, Lewes ap Jenkin, Hugh John ap Owen, John David Howell, William Goch, Thomas ap Rees ap Owen ap Rees.

Llanon (Llannond) :—John ap Jevan Gwinne, Griffith ap Jevan Thomas, Howell Griffith ap Rhydderch, William Rees David ap Jevan Thomas.

Llanedy :—Jevan John Gwinne, Jevan William David Walter, Jevan Gryffydd ap Jevan, Jevan ap Gwalter, Harry ap Jevan John Dye.

Llangennech :—Owen Lewes, Rhydderch William.

Thomas Vaughan, Gryffydd Vaughan, Walter Vaughan, Morrice Johnes.

[*Letter to the Council.*]

According to the tenor of the Queen's and your letters to the Justices of the Peace of the county of Carmarthen, to try

f. 164v.[1] Carmarthen.

[1] The numbering of the folios goes straight on from 161 to 164. Cf. pp. 98–9,

out the exaction and bribery of the Sheriff, Undersheriff, Bailiffs of Hundreds, Jailors and other inferior officers, and also for rating of jail fees, we whose names appear below, assembled for the execution of these letters. We took order that proclamation should be made in every parish church in the county, on the following Sunday, and also in markets and fairs and other assemblies, that any person grieved by any exaction or bribery committed by any of the above mentioned officers, should give notice thereof to us by bill or information : which proclamation having been published, there came none before us to complain, wherefore we cannot at this time advertise your lordships touching any such offence. We have further laid down order for Jailors fees in the county which order we send herewith to your lordships. And forasmuch as we had other commissions from your lordships, and also divers weighty affairs to be certified to the Justice of Her Highness' Great Sessions held the 16th inst. where our presence was required, we could not therefore before now advertise you of our proceedings as Christ knoweth Who can preserve your lordships. From Carmarthen, 18th of March 1579.

Your lordships to command :—

Ric*ardus* [Davyes] Menevens*is*, H. John, Gryffydd Ryce, Thomas Vaughan, Walter Vaughan, Morgan Johnes, Richard Phillipes, Gryffydd Vaughan, William David, Thomas Williams, Lewis Gwyn, George Powell, John Powell, Phillipe William.

fo. 183 Hereford.

A warrant for wood for the Castle of Ludlow, from the Lord Treasurer and Chancellor of the Exchequer.[1]

To our loving friend, James Woodforde, Esq., Her Majesty's Wood ward in the county of Hereford or to his deputy there.

Whereas formerly the Lord President and Council have been accustomed yearly to fell and take their fuel within the Forest of Mocktree, the Chase of Bringwood and Orleton Wood in the county of Hereford without warrant to the keepers thereof, whereby great spoils have been made. We have now conferred with the Lord President on the matter and to avoid further spoil have with his consent ordered that the Queen's Wood ward of the county of Hereford or his deputy shall henceforth yearly deliver to the officers of the Lord President from the forenamed woods, six hundred loads of wood and coal for their fuel, to be expended at Ludlow, the Steward of the Council allowing him for the charges of felling making and fencing of the

for the ordering of an inquiry into bribery, etc. by the Sheriff and his officers, though of date 1572.

[1] Cf. Skeel ; 245–7, *Hist. MSS. Com.* Rep. xiii, App. iv, pp. 249, 255, contains notices of the granting of similar warrants of later date. Mochtree, Bringwood and Orleton woods were all within 5–10 miles west and south of Ludlow.

wood. We therefore require you to see that this amount of wood is yearly delivered to the Council at such times and in such places within the woods as shall seem best for the preserving of the said woods, taking care always at the audit that Her Majesty may be answered for the bark coming off the same if they are felled in due season. This letter shall be sufficient warrant to you. 7th July 1579.

W. Burghley, Walter Myldemay.

[*Letter from the Lord Treasurer.*]

Whereas in former letters to you, I and Mr. Chancellor gave order of restraint from felling any of Her Majesty's woods for Ludlow until we had examined your warrant for the same. Forasmuch as, conferring with the Lord President, we are well satisfied thereof, we think it good, to avoid further complaint of spoil, to set down a reasonable proportion of wood and coal to be taken from Her Majesty's woods of Mocktree, Bringwood and other woods there appointed for your yearly expenses at Ludlow. We are agreed that there shall be yearly felled for you 600 loads of wood, at such times as your abode there may require, the wood being delivered by Her Majesty's Woodward General for the shire or his deputy, and no one else, allowing to the woodward convenient money for the fencing and enclosure of the spring of the same according to the statute. From the Court at Greenwich, 14th July, 1579. fo. 183v.

W. Burghley.

This letter before written being sent unto the Lord President was by his Lordship sent with his own letter to this Council.

To the Bishop of Worcester, Vice-president, and the Council.

After my hearty commendations to your lordship and the rest. Herewith I send you a letter addressed to you and to me touching an order set down and allotment made for a proportion of fuel for the yearly expenses at Ludlow, which it is agreed should be 600 loads of wood to be delivered by the woodward of Her Majesty's woods of Mocktree, Bringwood and other woods there, which 600 loads their meaning is should be sufficient Country loads, and not such as usually were wont to be carried to that house, wherewith I pray you acquaint the Steward that he may carefully look unto the matter. And for the letter, I think good that the same be kept and registered that it may remain and be forthcoming as occasion shall require. And where mention is made that money should be paid for the fencing and enclosure of the springs, that is to be issued only out

of the fines as heretofore hath been accustomed, and not out of the diet money or otherwise. Wherein I pray you to take order that so it may be. And even so I bid your lordship heartily farewell. From the Court at Gravesend, 15th July, 1579. Your lordships' loving friend,

Henry Sydney.

ff.187v–88 Commission to swear Thomas Wygmore, Sheriff of the County of Radnor and to take his bond.

The Commission of *Dedimus Potestatem* for the taking of the oaths of the Sheriffs in Wales and their recognizance for this present year a° 22 Elizabeth 1579 [–80] altered from the form in times past as hereafter ensueth.

Commission to Fabian Phillippes Esq., and Edmund Walter Esq., since Thomas Wigmore Esq. is appointed Sheriff of the County of Radnor, to take his oath after the form of the accompanying schedule, as specified in the Act of Parliament in the first year of our reign,[1] also to take bond for him of two sureties to the value of £300 each, causing the said Thomas and his sureties to come before them for that purpose on a certain day, sending certificate thereof to the Exchequer before the Feast of the Purification of the Blessed Virgin Mary, on pain of forfeiture of £200 from each of them. Westminster, 23rd November, 1577.

The Condition of the Recognizance is that when the above bound Thomas Wigmore Esq. is appointed Sheriff of the County of Radnor he, or if he is dead his heirs or executors, shall appear before the Queen's auditor for the royal revenues there, or his deputy, when and where the next audit is held, and then and there make lawful account of the issues and profits of his office and those of his undersheriff, bailiffs, ministers or servants, without any manner of concealment or delay; and that he do also immediately on the determination of his account, and before his departure from the audit pay or cause to be paid to the hands of the Queen's Receiver General or his deputy all money due to her by the said account; and also observe and perform all those articles concerning the sheriffs of Wales, taken the 15th November 1559 and remaining on record in the Court of Exchequer. If also the Sheriff shall appoint by sufficient warrant his able and sufficient attorney in every court of Chancery, King's Bench, Common Pleas and Exchequer at Westminster or elsewhere, to attend these courts so long as they are sitting and receive, open and return all writs, pleas and commandments directed to him or his deputy according to a statute in that behalf and as the Sheriffs in England do. If further the said Thomas

[1] Stat. 1 Eliz. c. 1 § 9 is concerned with the oaths to be taken by 'all ministers, ecclesiastical and civil.' The Commission is in Latin, the condition in English.

Wigmore so long as he is Sheriff, by himself or by sufficient deputy allowed by the Council in the Marches do not only well and sufficiently serve and execute all processes and mandates directed to him by the said Council and make full return thereof according to the purport of the processes and mandates, but also give personal and ready attendance by himself or his deputy before the Council as often as he or his deputy shall be so commanded by the said Council. Lastly, if the said Thomas Wigmore by himself or his deputy do, during all his time of office, obey, serve, make, do and perform all such other attendances, offices and services for and concerning the office of Sheriff, as other sheriffs of England do, or ought to do, that then *etc.*

At Ludlow, 10th March, 1580.

fo. 189.

Touching Repairs of Ludlow Castle

The L. President and Council now making abode at the castle of Ludlow, upon survey of things needful to be done in repairs about the castle, find it very necessary and convenient that a chimney of stone be newly erected within the hall of the said Castle as well for the safety of the castle from danger of fire which happened in Xmas last by reason there is no chimney but a 'lover,'[1] as also for the better avoiding of smoke and the clean keeping of the house which now for want thereof is very troublesome. And upon further survey and view of the bridge leading from the Castle hall into the Castle garden they find that the same bridge being of timber is in great decay, having no better stay than a rotten post very dangerous to pass over.[2] Upon consideration whereof it is by the Lord President and Council ordered that Thomas Blashefield gent. one of the bailiffs of Ludlow and Thomas Hanky gent. Steward of Household attending this Council, shall provide stone, timber, lime and other stuff necessary with workmen and labourers to do the said work and setting the same in hand to be done at reasonable wages, they or one of them shall oversee the same, that the work be effectually performed and finished as appertains. And of the charges and expense therein to yield account before this Council from time to time. For the which they shall have their allowance out of the receipts of the fines arising and growing to Her Majesty's use in this Court upon bill signed for the same to remain with the Receiver of the fines for his warrant and discharge in that behalf.

Henry Sidney, Joh*annis* Wigorn*ensis*, John Perrott, Charles Foxe, Richard Pates.

[1] Louver, luver, loovar, etc. meaning either 'a domed turret-like erection on the roof of a hall in a mediaeval building with side passages for smoke,' or simply 'a hole in the roof for the passage of smoke' (*O.E.D.*).

[2] The 'fair large stone bridge,' said to be Sydney's work, would be the substitute resulting from this order; see above, pp. 50–1.

[*Signet Letter.*]

To Sir Henry Sidney.

fo. 190. Whereas certain inhabitants in the Forest of Snowdon, being bound to pay unto our right trusty and well beloved cousin and counsellor the Earl of Leicester, certain sums of money for lands sold by him to them, refused to pay the same at the appointed day, taking hold of a Proclamation of January last for the stay of further proceedings touching certain grants of concealed lands passed from us (our meaning in the proclamation never tending to any such end) whereof has ensued, in many ways, no small loss and hindrance to our said cousin. Forasmuch as notwithstanding that by our order letters were sent by our Privy Council to the Sheriff and certain other gentlemen of the counties where the said forest lies, requiring them to call the said parties before them and to urge their payment of the said sums by explaining their error in regard to the proclamation, nothing has since been done by them. Our pleasure is that you and the Council there call the parties before you and deal effectually with them, letting them know that besides the damages they incur for non-payment we cannot but think it very strange in them that, acquainted with our pleasure, they should still not conform themselves thereunto. If on this admonition they shall not condescend to yield satisfaction to our cousin, then shall you take such order with them as you shall think meetest to procure payment and satisfaction for our cousin. Given under our Signet at our manor of Oatlands, 18th August, 1580.[1]

At Bridgenorth, 1st November, 1580.

ff. 232–36 By the Queen. On petition of Henry Tounsehend Esq., we have inspected a certain indenture between Henry E. of Derby and a certain George Lighe townsman of Shrewsbury gent., of which indenture

[1] This dispute had some connection with the changes going on in conditions of land tenure in Wales at this period (see Rhys and Jones, *The Welsh People*, p. 409 *seq.*), but seems to have resulted in particular from the grant of a warrant of search for concealed lands in the Forest of Snowdon, which, along with a grant of lands there, had been given to the Earl of Leicester in 1575 (Ed. Owen, *MSS. relating to Wales in the Brit. Mus.*, i, pp. 47, 51–2 : an account of these warrants is given in Scargill Bird's *Guide to the Record Office*, p. 112). By 1577 dispute had arisen between the holders of lands there and the officers of the Earl, who are said not only to have raised rents from £250 to £600 in Denbigh, but also to have attempted to prove the Earl's right of possession over other lands held by freeholders in Anglesey, Merioneth and Carnarvon. In that year the Privy Council ordered eight Welshmen to be imprisoned in the Marshalsea and examined for their conduct in this dispute ; the Council was also requested to make local inquiry into the matter. A rising, put down with the death of two men, is also reported to have taken place (*A.P.C.*, 1577–78, pp. 103, 126 : Pennant, *Tours in Wales*, ii, p. 153 ; John Williams, *Ancient and Modern Denbigh*, 1860, p. 94 *seq.*). The agitation was evidently not over in 1580, though we hear nothing of its result or of the action taken by the Council on the receipt of this letter.

a true copy remains with our Council in the Marches of Wales whose tenour is as follows :—This indenture made 3rd January 1577 is between Henry E. of Derby, L. Stanley and Strange, Lord of Man and the Isles, Kt. of the Garter, and George Lighe gent. burgess and alderman of the town of Shrewsbury. The said Earl in consideration of a grant made to him by the said George Lighe and one Lewis Lighe his brothers of all their estate and rights they had and claimed in the Manors of Ellesmere, Hampton and Coolemere in the county of Salop and of divers other lands and tenements in Old Merton and elsewhere in the said manors for divers years yet lasting by the demise of the said Earl as appears by certain indentures made by him to the said George Lighe dated 31st April 1573—hath demised and granted and let to farm to the said George Lighe his Executors and assignees all his capital messuage or tenement with the appurtenances, commonly called the Farm of the Birch, situate in the lordship of Ellesmere in the said county and now in the tenure and occupation of the said George Lighe or of his assignees, and all lands, tenements, meadows, pastures, woods, commons, waters belonging thereto or now accepted as part thereof, being of the yearly value of £6 0*s.* 3*d.* And also of those his 3 water corn mills situate within the lordship of Ellesmere aforesaid with all water courses, ' stanks '[1] dams, fishing and other commodities thereto appertaining, with one windmill near unto Ellesmere with all necessaries belonging to the same, of the yearly rent of 13*s.* 4*d.*, and all that mere commonly known as Ellesmere Mere with the weir belonging thereto, and the running and fishing there, of the yearly rent of 24*s.*, in as ample manner as any one has heretofore enjoyed the same ; together with all those parcels of land situate within the lordship of Ellesmere and the franchises and liberties of the town of Ellesmere and the lordship of Coolmere as hereafter is more particularly mentioned, i.e. one parcel of ground called Shadwell More of the yearly rent of 2*s.* 4*d.*, another called the ' Stanke Mayre ' at 3*s.* 4*d.* yearly, another called the ' Whelpescrofte ' at 4*s.* 6*d.* yearly, another called the Blackwater at 3*s.* yearly, another called the ' Conygrene ' of 2*s.* yearly, another called Billingescrofte at 3*s.* yearly, two other parcels called Brome Crofte and Clare mosse lately reckoned of one Humprey Lythe of 7*s.* yearly, with all manner of commons, profits, appurtenances to the same belonging or appertaining and now in the tenure, farm or occupation of the said George Lighe or his assignees ; together with herbage and agistment of a certain wood called Coolmere wood situate within the lordship of Coolmere, of the yearly rent of 2*s.* 4*d.* ; and also another messuage with the appurtenances, situate in Ellesmere aforesaid now in the tenure or occupation of John Lighe or his assignees with all lands

[1] Stanks, pools, tanks.

belonging thereto, of the yearly rent of 5*s*. All which premises were lately parcel of the inheritance of the late Edward E. of Derby father to the said new earl.[1] To have and to hold the said messuages, mills, weir, fishings, lands etc., unto the said George Lighe his executors and assignees from the date of these presents to the end of the term of 50 years, paying therefore to the said new Earl, his heirs and assignees £9 10*s*. 1*d*. yearly rent of lawful English money, by even portions at the Feast of St. Michael and the Annunciation of Our Lady. And if it fortune the rent to be behind and unpaid 20 days after either of the said feasts, no distress being made in that time, then from henceforth this present lease shall cease and be utterly void.

And it is further agreed and the said new Earl hereby promises that he or his heirs or assignees or their officers shall from time to time deliver to the said George Lighe out of the wood called Coolmere Wood sufficient timber for necessary building, housebot, firebot, haybot, cartbot, ploughbot and hedgebot to be spent on the farm of the Birch when and so often as the said George Lighe shall reasonably demand it. So that the said earl or his heirs or officers shall not be constrained to sell the said timber or carry it away further than where it grows. And the earl hereby promises for himself and his heirs that the said George Lighe and his executors and assignees may occupy the said messuages etc. peaceably and quietly according to the true meaning of these presents as well against the said late Edward E. of Derby as against the said new Earl and all other persons whatsoever claiming from or under the estates of the said Earls, without any let, molestation or putting out. And moreover the said Earl hereby promises that he and his heirs and assignees will discharge the said George Lighe during the term of the lease, from all former grants, sales, jointures, dowers, leases and all other encumbrances whatsoever, done or suffered to be done by the said new Earl. Provided always, and the said George Lighe promises hereby, that it shall be lawful for the Earl, his heirs and assignees from time to time to cut down the timber growing in Coolmere Wood aforesaid and to have free egress and regress by and through the same premises in reasonable and convenient place or places from time to time to take and carry away the same without hindrance of George Lighe or his executors or assignees. And likewise the said George Lighe covenants hereby that it shall be lawful for the Earl, his heirs, assignees and surveyors, to fish in the said mere called Ellesmere, and the fish there taken to employ to their own uses towards their diet during their continuance there without impediment of the said George Lighe. And moreover the said George Lighe hereby promises that he or his executors will not during the

[1] Henry Stanley, 4th Earl of Derby, succeeded to the title in 1572 on the death of Edward Stanley, the 3rd Earl.

time of the lease, grant or lease the mere or fishing thereof or any part of it to any person without the special licence of the said Earl or his heirs first obtained.

Provided always that if the said Earl, his heirs or assignees shall at any time hereafter be expelled from possession of the manors of Ellesmere, Hampton and Coolmere or any parts thereof or from the said lands or tenements in Oldmerton and elsewhere or from any part thereof which before this time were granted or sold to the said new Earl by the said George and Lewis Lighe (as aforesaid), or that the said Earl etc. shall in any wise be lawfully charged or encumbered in the possession of those manors etc. by reason of any former bargain by the said George or Lewis Lighe heretofore had or made ; and that the said George Lighe etc. shall not within 40 days next after notice given by the said Earl etc. at the mansion house of the capital messuage called The Birches, of such expulsion, pay or cause to be paid to the said new Earl, etc., at the now mansion house of the said Earl in the county of Lancaster commonly called the hall of Lathom, such sums of money as shall amount to 20 years rent of such parcels of the premises as the said Earl etc. shall be expulsed from or encumbered in form aforesaid : that then and henceforth the present demise shall cease and be utterly void. In witness thereof the said parties have interchangeably put their seals the day and year aforesaid. Subscribed thus—Henry Derby ; sealed and delivered in the presence of Richard Shireburne, Edward Morrice, William Farrington, Allexander Rygby, Nicholas Rygby, William Aspynvall, William Foxe. Exemplified at the humble petition of Henry Touneshend under our seal with our said Council—Henry Sydney, at Bridgenorth, 1st November 1580.

Ex*d.* by T. Sherer, 23rd November, 1585.

[*Letter to the Lord Chancellor.*]

fo. 191v.

Copy of a letter to the Lord Chancellor.

Upon perusal of a petition to this Council from certain poor men of Montgomeryshire and some others of better ability to the number of 17 in all, against one John Hughes now of Westminster for serving the same persons with *subpœnas* out of that honourable court, we find that upon like petition before made to this [Court] against the said Hughes and other, order was taken by assent of both parties that the same first suit should be stayed. Notwithstanding, the same Hughes now impleads the same persons anew with others before your lordship. And as the persons named are 17 in number, and earnestly affirm that there is no cause of suit against them, as by their petition (a copy of which with a copy of the former order,

we send your lordship) it may appear. Forasmuch as at the last Great Sessions of Montgomery held before us, George Bromley and Henry Touneshend Justices there, there was exhibited to us by the petitioners a bill against the said Hughes for procuring their vexation as aforesaid, and he being commanded to come before us came not but conveyed himself away, we are the rather persuaded to think he is such a one as he is commonly reported of Montgomeryshire—a procurer of suits of vexation against poor men and such as would be quiet, dwelling in the said county of Montgomery and thereabout. Our humble suit to your lordship is therefore that it will please you not only to look into the said cause and thereupon if you find that the said poor men have just cause of complaint, to take such order with the said Hughes as may breed in him a more quiet dispoistion henceforth so that the petitioners and their neighbours be not impleaded by him but where they may receive hearing with less travel and charge than he intends, but also that he may (by your lordship's order) be sent hither to receive due punishment for the breach of the said former order made in this court whereunto he offended as aforesaid. From Ludlow, 17th November, 1580.

Henry Sidney, G. Bromeley, Charles Foxe, Henry Towneshend.

At Ludlow, 29th November, 1580.

ff.192–92v Whereas a register of the Justices of the Peace for the 12 shires of Wales has remained from time to time with the Lord President and Council, by which they may better understand the state and condition of all and every the said Justices, how they behave themselves and of whom to make choice for Her Majesty's service when occasion requires, noting such as through negligence or remiss dealing are found defective. Forasmuch as there have been now diverse Justices of the Peace sued out by procurement of certain persons, who have been put in the Commission of the Peace in sundry shires without commendation thereto by this house, whereby their names are not registered before the Lord President and Council. And as the continuance of the register seems very necessary, even so do they think it to very good purpose to know the names of those who 'prefer' themselves without commendation of those to whom it appertains.

It is therefore ordered that several letters rehearsing the premises be sent to the Clerk of the Peace in each of the counties undermentioned, commanding him to certify to this Council by the 20th January next, the names of all the Justices of the Peace assigned in the last Commission of the Peace. Likewise upon any renewing of any Commission of the Peace, where any new person is included, to return their name or names to the Council as expeditiously

as possible. Letting them know that if they make default their omission shall be corrected by fine or otherwise as the Council may think good. In their certificate of Justices of the Peace now acting, they will do well to certify the allotments of hundreds to the Justices, their place of habitation, and how far it is from both the market town and specially from the shire town. For their better understanding and more perfect direction herein they shall receive enclosed a form shewing how they shall set down what is required of them. They are also for special considerations moving the Lord President and Council to search the records of their county and make a book of the names of all persons who have filled the office of Sheriff there from the 3rd year of the Queen's reign until this present 23rd year, returning the book the 20th January next as for the contrary they will answer at their peril.

List of Counties :—The Twelve Shires of Wales.

At Ludlow, 7th December, 1580.

Whereas the Lord President and Council, established to determine causes from time to time, find by experience that many of Her Majesty's subjects residing within the Council's commission daily complain, seeking relief in causes. And another sort 'of a lewd and evil disposition,' in order to extort bribes, or at least to put people here to trouble and confusion, serve bills of appearance upon those they wish to vex, not saying in the bills by whom they were served. By this means divers persons have been put to great trouble and expense in travelling to this Council, and, on appearing, could find neither bill nor information to answer to ; and yet after their departure had Contempt awarded against them, so being put to further charge. fo. 171.

For redress of this, although the Council ordered[1] that if any person should serve a billett of appearance on any one, unless the names of the plaintiff and defendant were on it, the persons so served should be excused attendance, yet the Council is credibly informed that sundry persons having received writs of appearance with the names of both parties on them, have yet incurred Contempt of this court through simplicity because they knew not in what court to appear. This is because no mention has been made in the bill, that they are to appear before the Council. It is therefore ordered that all such bills of appearance shall in future mention that the defendant is to appear before this court. And if any bill is made and returned after the first day of Lent Term next which omits either this or the names of the plaintiff and defendant, the defendant shall be excused if he fail to appear before the Court, notwithstanding the serving of a bill upon him.[2]

[1] 3 Dec. 1572, above, p. 99.

[2] No signatures are given.

[*Commission for Musters.*]

Commission[1] for general musters in the County of Denbigh, to Thomas Bromley kt., L. Chancellor of England, William, L. Burghley, Lord Treasurer, Henry Sydney kt., L. President of the Council of the Principality and Marches of Wales, John [Whitgift] Bp. of Worcester, Vice-president of the Council there, Robert E. of Leicester, Master of the Horse, William E. of Worcester, Henry E. of Pembroke, John [Scory] Bp. of Hereford, Nicholas [Robinson] Bp. of Bangor, Richard [Davyes] Bp. of Meneven, William [Hughes] Bp. of St. Asaph, James Croft kt., Comptroller of the Household, George Bromley kt., Justice of Chester, Henry Touneshend, Justice of the Great Sessions in the same county, John Perott kt., Nycholas Arnold kt., Hugh Cholmondley kt., John Littleton kt., John Huband kt., John Salusbury kt., William Gerrard kt., John Pickering serjeant-at-law, David Lewis Doctor of Law and Judge of the Court of Admiralty, William Aubrey, Charles Foxe, William Glaseor, Elice Price Doctor of Law, Richard Pates, Ralph Barton, Jerome Corbett, Fabian Phillipes, William Leighton, John Price, John Price of Eglwysegle, John Salusbury of Rug, Symon Theball, Evan Lloid of Yale, John Edwards, Robert Puleston, Owen Brereton, Edward Hughes, Piers Owen, Fabian Lloid, William Wyn, Thomas Poll, Edward Jones, Roger Jones, William Aylmer and Galfre Holland, or to any two of them. Dated Westminster, 12th December, 1580.

ff. 194–20'. *Instructions given upon commandment of Her Majesty by the Lords of her Privy Council to the Commissioner appointed for the taking of general musters in the County of Denbigh.*

The cause and content of this Commission. The principal intention of the Queen's Majesty is to have perfect knowledge of the numbers, qualities, ability and sufficiency of her subjects in that county above the age of 16 years, as is intended by the late commission sent to all other shires and places privileged. And out of that total number viewed, mustered and registered, to have a convenient number of the most able chosen and collected and by reasonable charge of the inhabitants in every shire tried and armed, and so arrayed, to be trained to use and exercise their horses, armour, weapons, shot and other weapons on horse back or foot according to their qualities for the service and defence of Her Majesty, her crown, realm and subjects against enemies both inward and outward. For which purpose although Her Majesty doubts not but

[1] Latin. Cf. *A.P.C.*, xii, 1580–81, p. 255, 1 Nov. 1580, 'A letter to the L. President of Wales for a view and muster to be taken of the armed men in the Principality.' Apparently a second commission for Denbigh was issued in March of next year (*ibid.*, 364). Bare mention of the instructions in *S.P.D.*, 1547–80, 698, dated Nov. 1580, shows they were issued for general application to the English shires. Cf. p. 163, and pp. 219–21 for other instructions concerning musters.

that by her trust in you her Commissioners, and as this tends only to the preservation of the public peace which by God's goodness this realm enjoys and long hath done more than this realm ever did for so long a continuance or than any other in Christendom hath, you will speedily employ your whole understanding and labour without respect of charges or pains or favour to execute this commission in all points. Yet to the intent you may the more readily and effectually proceed therein, Her Majesty with the advice of us of her Privy Council has ordained that these articles following should be sent unto you and all others authorised by like commissions.

f. 194v. The cause of these instructions.

Furthermore, as this kind of service requires the attendance and labour of very many persons according to the 'quantity' of the shire, as the usual divisions may seem to require several assemblies in sundry places, and yet to be uniformly ordered the direction of the whole ought to appertain to fewer in number, chosen partly for their reputation in the country, partly for their knowledge in martial sciences. Therefore her Majesty has admitted that you John Salusbury of Rug, Roger Puleston, Jevan Lloid of Yale, Robert Puleston, Owen Brereton and William Almer, Esqs., should take the principal care for the execution of this commission and those instructions. Nevertheless you the rest of the Commissioners shall do your best at all times to further the said service in your several divisions. And as some specially named may perchance not be resident within the county at all times requisite for execution of this commission, it is meant (the more part being not absent) that you the rest within the shire shall proceed in the said commission as if you were all there present. In case the more part of you specially named be absent then you the rest shall certify to us the cause of their absence with your opinion as to who of the same shire are meet to supply their place, whereupon direction shall speedily be taken to supply the defect.

The choice of special men to take special care of the Commission.

The greater part of the Commissioners to proceed in the absence of the others.

Precept of Summons to all men to appear.

It is necessary that by your precept to the Constables of the Hundreds, and other like officers, all able men from 16 years of age upwards within the limits of your commission in parish, hamlet or village, be sworn to appear at a day and place fixed for the musters so that none of any degree be unwarned and not called to the musters save in some special case to be remembered hereafter. Therefore it shall be well done to command that the names and surnames of all such persons able to bear arms, be immediately written down by the constables of the hundreds or other officers, naming every householder by himself with his sons, menservants, apprentices, journeymen or other sojourners or indwellers able to bear arms, and that the said householder be charged to bring all the said persons with their armour or weapons at such times as shall be limited. So after the return of the said writings you the Commissioners shall

proceed to the musters, registering in writing the names of all such as shall appear with notes of their armour or weapons. And where it may be some shall not have armour or weapons, a note shall be made as to what kind of military service they seem most apt for, not omitting who of them may best serve as labourers or 'pioneers,' who are carpenters, smiths or such like artificers, to make use of their abilities as cause may require though they have no weapons. Of those who, having been warned, do not appear, you shall make a special note and check and duly examine the causes of their absence, allowing or punishing the same according to reason, that no for-
fo. 195v. bearing be had of any without necessary and lawful cause allowed before you. You shall yet take order that any persons absent at one time upon reasonable cause shall at some other time appear and be viewed and registered. And as it may seem meet that the householders in all places should not be compelled to bring all their servants and indwellers at one time lest their houses should be desolate of men, it shall be well that the said constables may be ordered to confer with the householders on the making of the first book of names, to bring as many as may reasonably be spared at the first day and thereafter to appoint their appearance. And yet the first writing should contain the names both of those who are to appear at the first day and of those remaining at home, the householders being charged by the Commissioners to bring or send the rest of the persons at some other fixed day. If continuance of sickness or notorious absence by any journey shall detain any person from access to the musters, yet the name of such person shall be certified with a note of his ability to serve when his sickness ceases or he returns from his journey, and of his or their furniture according to degree.

Prelates, Lords of the Parliament and Councillors exempted from personal appearance.

Item, it is to be understood that no householder of any degree except prelates and Lords of the Parliament or Privy Council, shall be forborne if he be able in health to come to the musters. As for all other inferior persons ecclesiastical whose vocation is personally to attend upon their cures, and for the Justices of either Bench, or other officers of the Courts of Record occupying Judicial places in the said courts, it is meant that these shall not be compelled to appear personally at the musters but they shall send their servants and household men as others to be mustered with their armour and weapons, a special book being made of the household servants of the clergy, the household servants of the Judges and other judicial officers being added to the musters of the laity. As for the household servants of the Prelates, Lords of Parliament or the Privy Council, as the prelates for their persons are to be spared, and the personal service of the lords temporal is by special commandment to be directed about Her Majesty's person or otherwise by their calling, it is thought

meet they shall not be dealt with. As for all others not household servants or attendants of the said lords and yet having their dwelling and households in that shire, pretending that they belong to any of the said lords temporal as retainers, such shall be summoned and mustered and charged and chargeable for any service as others. And yet there shall be made particular note of all such persons, their dwelling places and how they pretend to be retained. And the Commissioners shall forbear to make entry of any such so known to be lawfully retained by their lord and master into any special company of the rest of the householders but they shall be chargeable as aforesaid at all times when they shall not be called out of that country to attend on their lords and masters; at such times they shall be excused from service.

Item, at the first muster the Commissioners shall consider particularly all the imperfections of person, armour and weapons in those mustered, and shall give charge in writing signed by their own hands how to remedy the defaults by some other time to be speedily fixed. They shall also appoint some person in every hundred or other division to see to reformation thereof before the next musters, and if default be then found, you the Commissioners shall punish the offenders at your discretion.

Item, where always of every ancient time there have been and still are a certain number of soldiers furnished by the common charge of every town or parish over and above such persons as are by the late Statute[1] chargeable to find soldiers, armour and weapons, the Commissioners shall do well in registering the said general musters to cause special entries to be made in writing of the numbers found by the parishes and towns in the muster books distinct from others, that it may appear how many are ready of each sort. And to increase the number of able men furnished with armour and weapons the Commissioners shall cause the meaner sort of freeholders, franklins, farmers, artificers or merchants, not of sufficient value to have one complete furniture of armour and weapons, to be persuaded for the love of their country to be joined by two, threes or more to provide a full furniture of either a pikeman, archer or arquebusman. And furthermore they shall persuade all manner of rich farmers and freeholders to keep in their houses persons meet for archery and shot so that when they shall for their own excuse offer to hire other persons to serve as soldiers in their stead, they do not seek for such persons outside their own houses, for such borrowing must not be suffered.

Item, after the Commissioners have done their utmost in procuring fo. 197.
that no able men be absent from the musters save as aforesaid,

[1] The last of the previous statutes which dealt with this subject in detail was 4 and 5 Philip and Mary, c. 2.

and in knowing the full number of all such able persons and registering the same, in viewing the armour and weapons they shall with good deliberation choose in every division persons meet to be captains and petty-captains, not forbearing any under the degree of a Lord of Parliament to take charge of certain numbers, having consideration to the persons of most worship, credit and value for that purpose, viz :—some of the best having charge of 200 or 300, others of meaner degree and value in livery having under them charge of part of the same. In this choice of principal captains we think meet that some of you Commissioners should take some of the said charges thereby not only deserving great commendation but also inducing others to do the like. For the better furtherance of this service it shall be expedient that with the consent of the captains, choice be made of skilful and expert persons to be lieutenants and petty-captains for every hundred, and also of other necessary officers. In this choice, no person known as or having given cause for suspicion of being unwilling to serve the Queen's Majesty or to obey the laws of the realm, shall have any trust or charge of men committed to him.

A number of trained soldiers.

And whereas by instructions sent out in the 19th year of the reign [1] it was ordered that a certain number in each county should be selected and trained for shot, it is thought meet that the said number should be continued and trained according to those instructions which we doubt not are extant among you, the charge of the training being borne as therein prescribed.

Distribution of weapons.

fo. 197v.

And for the serviceable selected and armed men other than the trained shot regard shall be had to the division and distribution of the weapons in the arranging of bands. We could wish that in every 100 footmen there be at least 40 arquebusmen and 20 archers if possible. To that end the commissioners shall give good example by exercise in games and matches to increase shot and archery, to see that the archers may be men of strength, and as it is not lawful for any but those licensed by the statute to shoot handguns or arquebuses, Her Majesty is pleased that all appointed by the Commissioners to be arquebus men, shall and may use their weapons without danger of the laws, if they have warrant in writing signed by the commissioners and do nor use their weapons but as others licensed by the statute, nor outside the limits in which they are mustered and enrolled, except in time of service.

Liberties how and where to use arquebuses.

Every band to be enrolled.

Item, when the numbers of able men and the quantity of armour and weapons are known, and the distribution under captains made, every captain shall have a special note written of the names and surnames and place of dwelling of all those in his charge, subscribed by the Commissioners or one of them with the date thereon, making a note of this in the muster book. And if any of the soldiers—

[1] Given above, pp. 163–5.

especially the trained shot or officers—either die or upon just cause remove out of the shire or limit where his muster place is, which latter he shall not do before giving knowledge to the captain, or if any one fall into any notorious sickness or imbecility whereby he is unable to serve, then the captain shall give notice thereof to the superior captain or else to one of the Commissioners privy to the delivery of the rolls ; so that the vacancy may, by warrant from one of the Commissioners, soon be supplied and an able man armed and weaponed may be provided and his name entered on the said roll.

Preservation of Armour and Weapons.

Item, the Commissioners shall take order how the armour and weapons shall be kept serviceable, appointing some special men in every hundred or wapentake to be named surveyors of the armour and weapons belonging in common to the parishes and townships, both for safety of the armour and for its keeping clean and ready for use. The surveyors shall also from time to time repair to the houses of all other persons chargeable with the possession of armour and weapons to see that the same be kept clean and serviceable. If they find default therein, they shall from time to time advertise the special Commissioners, to provide remedy therefor.

The rest being not selected to be put into bands.

Item, we think meet that the rest of the total number, who are not selected or thoroughly armed, should nevertheless be enrolled in hundreds under captains and other officers to be in readiness for general service when necessity arises. We would wish them furnished in some sort with such weapons for defence as shall be least chargeable to the country.

And whereas in these instructions it is ordained that you John Salusbury of Rug, Roger Puleston, Jevan Lloid of Yale, Robert Puleston, Owen Brereton and William Almor, Esqs., shall have special care in executing this commission and instructions, yet the more easily to divide yourselves according to your places of residence, in every division the rest of the Justices of the Peace being joined with you, shall assist you as they can, as it is not meant that by naming some (as in all like cases is found convenient) you of the rest in commission should think yourselves discharged, but that where those specially named either by distance from the place of service, or by some infirmity or by business, are absent at some times, some of you dwelling in fit place for the service, should help to supply their places, otherwise the burden of service will be too troublesome. fo. 198v.

Thus far is sufficient concerning the mustering, exercising and training of the footmen in that county.

And if there shall be any corporate town or other privileged place that shall pretend and shew any special grant available in law for exemption from appearance before any other Commissioners than such as be Justices of the Peace or officers of the said town, upon shewing to you of the grant and usage, if it shall appear that their

claims are good and reasonable and heretofore in like cases allowed, you shall forbear to intermeddle with the inhabitants, and shall charge them speedily to make suit to us the Lords of her Majesty's Privy Council for special commission to take like musters there. And if you understand that they delay so to do, you shall certify us thereof, that you shall have order in their default to enter and take musters of them.

Articles for Furniture of Horsemen.

Consideration to be had how many by the laws are chargeable to find horses.

Item, as one of the best strengths for the defence of the realm and that which is thought to be most decayed and imperfect and most needing to be increased, is the furniture of horses and horsemen, it is thought meet that they to whom the principal care of the execution of the commission is appointed, should after its receipt and the giving of order for the footmen, consider how many persons in, that shire in every hundred or division, in respect of the true yearly value of their land or for other respects contained in the statute are by the laws and statutes of the realm chargeable to find and have in readiness horses or geldings both for lances and light horsemen with armour and weapons therefor.

fo. 199.

Wherein it is to be remembered that the laws expressly prescribe that the charge and number of the said geldings shall be according to the just value of any person's lands and fees and other goods and not that the said values should be accounted according to the common and easy taxation used for the payment of subsidies. And although in the taxation for subsidies it is seen by Her Majesty's clemency and goodness there has not been any better inquisiton of the further values of any persons for their lands and goods to increase Her Majesty's subsidies, as in reason there ought to be, especially where there appeareth great partiality in the said taxation, yet in this case, concerning a matter of such weight for the service and defence of the whole realm, Her Majesty findeth it most necessary and just to have a further regard, and not to suffer the intention of such reasonable and necessary laws to be frustrated, as should be if every person were charged no further than according to the common easy values of the subsidy assessment which Her Majesty supposes that no good subject being duly warned will think reasonable, where they are indeed well known to be able to answer for a greater number of horses or geldings.

For by experience of former musters of horsemen in sundry parts of the realm it is found that a great number of honest well disposed gentlemen have for love of their country had in readiness more horses and geldings furnished for service than their rating for subsidies has prescribed. And yet none of them have been the more charged toward any subsidy, neither in reason ought to be but the

rather deserve to be more favoured in all other manner of charges, and esteemed to be better and more natural subjects.

And therefore the Commissioners, after well perusing the number and state of those whom they think able in lands, fees, or goods according to the rates ordained by the laws, shall make a book of them, and afterwards send notice to them to prepare such number of horses and geldings as they ought by the statutes, with special request therein to increase the numbers as far as their ability extends, without regard to their values as assessed in any subsidy book. Of the number they would willingly offer, let them be commanded to make fo. 199v. answer by a day fixed, as speedily as possible. Upon receipt of the answers, if the said Commissioners think that any of the said gentlemen has not yielded to such number as they think reasonable, they shall command him or them to appear and then use all the persuasion they can to induce him or them to increase the number. If they shall not consent, the Commissioners shall immediately certify their names, their own assessment and that of the Commissioners, together with their value for subsidies and how much above the Commissioners conceive them to be. Those who are reasonable to the motions of the Commissioners shall have a reasonable time to have the said horses or geldings in readiness.

And the Commissioners shall as soon as may be take the musters of the horses and geldings and those appointed to serve thereon with their furniture of armour and weapons according to their degrees. And in treating with any for the increase of their number and furniture, the Commissioners shall let them know that a special register shall be made of the horses or geldings they shall keep in accordance with their valuation in the subsidy book, and another book for the rest they shall consent to find as an increase voluntarily made as this time especially requires. For further provocation to this increase you shall assure them that the number of horses or geldings so increased shall not be used nor sent abroad for service but when the owner shall be sent to serve or any other [? occasion] by their fo. 200. consent or agreement upon great urgency for the defence of the whole realm, and the names of those who agree to an increase in this sort shall be certified to Her Majesty and her Council that their good dispositions may be known and allowed. As to the recusants, beside the making of certificate, they shall be told that Her Majesty must be forced to cause a new inquest and extent to be made of the full value of their lands, fees and goods, on which it is likely their burden will be far greater by order of the laws than is fixed by the Commissioners, besides the forfeiture of the penalties incurred in time passed and their evil account and estimation.

And if upon such motion they shall not be made conformable, then certificate shall be made as directed above, whereupon order

shall be taken to proceed to the due inquisition according to the order of the law.

And because there is no one thing at this time more necessary to be regarded than this increase in the strength of the realm by having horses and geldings meet for service, the Commissioners shall cause an inquisition to be made throughout the shire of the statute made in the 27th year of the reign of King Henry VIII [c. 6] for breeding and increase of horses, geldings and mares.

And after they have done their endeavour in this service they shall thereof make a full certificate in writing containing the names and place of residence of every person that shall be limited and shall assent to keep any horse or gelding, with their number and the weapons, be it lance or light horseman's staff or cases of 'dagges' according to their quality, how many of them have been viewed and mustered, and when the rest may be, so that Her Majesty may know the strength of her subjects in this service. And likewise they shall make certificate of the number of mares which are or ought to be kept according to the Statute of 27 Henry VIII, and the time allowed for supply of the deficit.

fo. 200v. And as it is likely that many will of themselves be willing to provide horses and geldings for service, and yet cannot at present do so for any reasonable price ; or that many can and do have more horses and geldings in readiness in summer than in winter, the Commissioners shall at their discretion appoint reasonable times when such persons shall provide the same. They shall also limit a number of horses and geldings for both summer and winter so that they shall be as great at both times as reasonably may be.

And in registering the numbers it should appear how many are in readiness in winter, and how many more in the summer, with the serviceableness of the said horses or geldings.

And where it may be that merchants and others of good wealth in goods, dwelling in corporate or market towns, of such value that they ought to be chargeable to provide horses or geldings and yet by reason of their dwelling in such places and having not land elsewhere to sustain their charges of the said horses, cannot without greater cost than is reasonable for them to bear, find the same, the Commissioners shall confer with them as to how that charge may be converted. That is either to have in readiness some arquebusiers or to contribute some reasonable portion of money toward the musters in or near the said towns.

And yet before they so conclude with the said merchants and townsmen, they shall certify their opinions to the Council, that they may be allowed or altered.

[*Letter from the Privy Council.*][1]

Whereas we are given to understand that in the county of Monmouth some partial dealing has of late been used towards one Thomas Powell of Llantillio in the trial of a murder committed in the person of one John Meredydd, whereunto he is charged to have been an accessory by means of the empanelling to examine the fact of an inquest of jurymen that (we are informed) was altogether at the direction of his adverse parties. Whereupon the said Powell (we are told) has already been dispossessed of divers of his lands and goods as forfeited by reason of his said supposed offence, without direct proceeding or trial of law. We have therefore thought good, to redress this alleged wrong, to desire you to take order for the careful examination of the witnesses on both sides touching the murder, and to send the depositions so taken to the Justices at the next assizes held within the county, so that the cause may receive such further trial by due court and order of law as may remove all just cause whereby the parties may find themselves aggrieved, or complain of any partial dealing. At Whitehall, 9th January, 1581. fo. 203. Monmouth.

W. Burghley, E. Sussex, James Croft, [H.] Hunsdon, Fr*ancis* Walsingham, Th*omas* Wylson.

The original remaineth with the Solicitor for taking the examination.

Sherer.

At Ludlow, 29th January, 1581.

The right honourable the Lord President and Council, upon consideration now taken of the travail and pains of the petitioner[2] in keeping the clock within this castle, have thought it meet to increase his fee of 13*s.* 4*d.* yearly to £1, for payment of which sum this order or the copy thereof shall be sufficient warrant to the clerk of the fines. This payment is to be made during the pleasure of the Lord President and Council. fo. 202.

Henry Sydney, G. Bromley, William Leighton.

[*Letter from the Exchequer to the Queen's Majesty's Woodward of the county of Hereford.*]

Whereas you had this year warrant from us for the sale of a wood called Mary Knowl (Knell)[3] in Wigmore's lands, parcel of the Earldom of March, containing in your certificate [4 or . . .

[1] There is no record of the despatch of this letter or reference to the case in the *A.P.C.*; the Council met on the 8th, and again three days later.

[2] Thomas Higges: cf. the order of 9 February 1578.

[3] Now the name of a hamlet about two miles south-west of Ludlow.

acres]; forasmuch as we are informed by the Lord President of Wales that the same for divers good considerations is to be stayed, as by his letters to us appears, these are therefore to require you to stay the sale of the said wood or any part of it, giving present order therein to your deputy whom you have appointed to execute this, as you will answer at you peril. 7th March 1581.

W. Burghley, Walter Myldmay.

Anglesey. [Copy of order by the Privy Council that henceforth the inhabitants of Anglesey should be free from all service in Ireland or elsewhere abroad, to defend their isle ; the inhabitants of Carnarvon are likewise to be exempted in order to assist those of Anglesey on occasion. 24th March 1581. Henry Cheek.][1]

fo. 189v. Inclosure for saving the spring in Mocktree.

At Shrewsbury, 1st April, 1581.

Whereas process was directed to the masters, keepers, foresters and woodwards of Her Majesty's forest of Mocktree in Hereford for certain fuel wood to be taken within the said forest towards the provision of the household of the Council. And as the said wood is felled in the north side of the lodge Leasowe extending from Winterback brook to Her Majesty's highway going towards Leintwardine within the said Leasowe ; and from the lodge to the old hedge of the said Leasowe upward toward Broxhope, which contains about 40 acres by estimation. And for that the Lord President and Council would have the spring there preserved and kept from the spoil of cattle and so to be brought into Coppice Wood and kept inclosed according to the Statute, it is therefore ordered that a letter be directed to the forester or his deputy, commanding him to hedge and inclose the same from time to time sufficiently to preserve the same springs from the spoil of cattle. And to take sufficient 'tynth' and stakes within the said forest for the inclosing as it shall require. Upon exhibition of their bill the costs shall be allowed out of the receipts of the fines.[2]

H. Sidney, John Huband, H. Townsend.

Registered by the Original. Witness T. Sherer.

ff.207v–08 Registered at

To all men to whom these presents shall come Foulkes Grevill, of Beauchamp Court in the county of Warwick, Esq.[3] sendeth greeting.

[1] The entry is identical with that in *A.P.C.*, 1580–1, 364, save that it does not bear the name of Cheek, one of the clerks of the Privy Council, underneath. Cf. for other reference to Anglesey's fear of foreign invasion, pp. 56, 49, 217.

[2] Cf. above, pp. 190–1. The Statute referred to is 13 Eliz. c. 25, making perpetual 35 Henry VIII c. 17.

[3] This is Philip Sydney's friend, Secretary to the Council in 1583. This

That whereupon controversy grown since the death of John Dudley Esq. deceased, between the said Foulkes Greville and Charles Foxe Esq., for the use and exercise of the office of Clerk of the Signet of Her Majesty's Council in the Marches of Wales and such portion of the fees of the said office as the said John Dudley in his lifetime had and received in the same : parcel of which fees since the death of John Dudley have been received by Edmund Myllyneux and William Poughnill gent. and such other clerks of the said office by them or one of them appointed. And as the said Foulkes Grevill and Charles Foxe by the special mediation of the Lord President and Council did refer themselves to stand to such award as Sir Thomas Leighton kt. and Philipe Sidney Esq. should make and put in writing before the last day of this July to end the said controversy : who by deed indented under their hands and seals have awarded to the said Foulkes Grevill as well all arrears of the fees usually received to the use of the said John Dudley received since his death by the said Edmund Myllyneux and William Poughnill or others appointed by them, as also all such as shall grow in the said office from the date of the said award during the joint lives of the said Foulkes Grevill and Charles Foxe. Hereford 20th May 1582

Know ye now that I, the said Foulkes Grevill, for good considerations me moving, have released and quit-claimed by these presents to the said Edward Myllyneux and William Poughnill and either of their executors, all sums of money, fees and profits by them or their clerks received in the said office since the death of the said John Dudley unto the date hereof. And do further grant and hereby promise to Sir Henry Sydney kt. Lord President, that from and after the death of the said Charles Fox, I, Foulkes Grevill will not challenge or demand any benefit either of the said award or order of the Council to warrant to me any part of the fees thenceforth received in the said office, but will only stand to the benefit of Her Majesty's letters patent to me thereof granted and Her Majesty's consideration of the same, if it please the said Lord President then to put me thereunto. In witness thereof I have put my hand and seal this 20th of July 1581.

Foulkes Greville.

Exemplified by Thomas Mason.

To all Christian people to whom this present writing shall come Humfrey Mitchell of Old Windsor co. Berkshire Esq. sends greeting in our Lord God everlasting. As by letters patent of 16th June 1578, the Queen's Majesty appointed the said Humfrey Michel ff.211–11v

adds one more reference to the very few we possess for Philip Sydney's life in the Marches.

Water Bailiff of the River Severn, so now for divers good and reasonable considerations we the said Humfrey Michel have by these letters ordained Edmonde Bouser of Dursley co. Gloucester gent., and Richard Gibons of Hartbury in the said county yeoman, to be our lawful and sufficient deputies in the said office of Water-Bailiff, to have all fees and effects pertaining thereto. Whatsoever they lawfully do in that office we the said Humfrey Michell promise to ratify. Witness this writing of deputation, 6th November, 1581.[1]

Sealed and delivered in the presence of Richard Tredwey and Richard Waylowe.

ff. 206v–7 *The names of all the Justices of Peace in the twelve shires of Wales at this present time 20th November, a° 24 Eliz.* 1581.[2]

Flint :—William [Hughes] Bp. of St. Asaph, Sir Thomas Hamner kt., Hugh Evans clk., Jevan Lloid de Yale, Thomas Mosten, Roger Puleston, John Hamner, William Hamner, John Conwey, Harry Parry, George Ravenscroft, Piers Moston, Edward Morgan, William Moston, Roger Brereton, Piers Gruffith, Edward Lloid, George Massey of Puddington co. Chester.

Denbigh :—Ellis Price Doctor at Law, Foulke Lloid, William Wyn, Piers Owen, Jeffrie Holland, Symon Theloall [? Thelwall], John Price of Darwen, Thomas Moris, Jevan Lloid de Yale, John Price of Eglwysegle, John Edwards, Roger Puleston, Robert Puleston, Owen Brereton, William Almer, Thomas Powell, Edward Hughes.

Montgomery :—Edward Herbert, John Vaughan, John Price, Arthur Price, Richard Herbert, Richard Moris, David Lloid Blanyr, Morgan Gwyn, Thomas Tannat, David Lloid Jenkin, Robert Myddleton, Rowland Pugh, Gruffith Lloyd, Richard ap Hugh, Thomas Price, Thomas Jukes.

Merioneth :—Rees Vaughan, John Lewes, John Owen, Jevan Lloid ap David ap John, John Wyn ap Caddr, Robert Vaughan, Morgan ap Robert, Edward Meirick, John Vaughan, Rees Hughes, Eden Gruffith.

[1] Cf. above, pp. 181–3.

[2] This is the only entry in the book with any pretensions to elaboration. It is written across the two pages, at right angles to the rest of the volume, with title and headings in large characters. The list is probably the result of the order of 29th November 1580, which required a list of the justices of each shire from the Sheriff by 20th Jan. 1581. Cf. below, pp. 236–7, for an incomplete list of 1595. One of 1584 is mentioned in the *Catalogue of MSS. relating to Wales in the British Museum*, ed. Edward Owen, i, 90, and one for 1575 in *S.P.D.*, 1547–80, 508.

Carnarvon :—N[icholas Robinson] Bp. of Bangor, Rowland Thomas, John Wyn, William Thomas, William Moris, Rowland Puleston, William Gruffith, Robert Wyn, Richard Moston, William Glyn, Thomas Madryn, Richard Vaughan, Owen Wyn, John Hugh Richards, Robert Owen, Edward Conwey, Thomas Mosten.

Anglesey :—Sir Richard Bulkeley kt., William Lewis, Lewis ap Owen Merick, Owen Wood, Moris Gryffydd of Porthamet, Thomas Glyn, John Gruffith, Hugh Hughes, Richard Owen Theodore, Owen ap Hugh.

Carmarthen :—Bp. of St. David's 'mortuus,'[1] Sir Lewis Jones kt., Thomas Williams, George Powell, Rudderch Gwyn, David ap Rees, Gruffith Rees, John Powell, Gruffith Lloyd, Lewes Williams, Richard Phillipes, William Davies, Rees Thomas Lewes, Lewes Gwyn Elice, Richard Vaughan, Thomas Lloyd, John Morgan, Water Vaughan, Thomas Vaughan, Gruffith Vaughan, Owen Donne, William Penry, Edward Donlee, Morgan Jones, Phillipe Williams.

Cardigan :—John Price, Rees David Jenkins, Jenkin Lloid, Thomas Gruffith, Morgan Lloid, John Steedman, James Lewes, John Powell, Thomas Revell.

Pembroke :—Sir John Perrot kt., Sir Thomas Perrot kt., Morgan Phillipes, John Woogan de Boulston, Robert Lougher Doctor at-law, Gruffith White, John Barlo, Thomas Revell, Francis Laughern, Henry Adams, Eignon Phillipes.

Glamorgan :—Sir Edward Manxell, Sir Edward Stradling, Sir William Herbert, William Evans, William Mathewe, Thomas Lewes, Nycholas Herbert, Edward Kenes, Anthony Manxell, Myles Butten, William Bassett, William Carne, Lyson Price, Jenkin Francklyn.

Brecknock :—Richard Price, Edward Aubrey, John Awbrey, Richard Herbert, John Walbieff, Thomas Games, John Games, David Williams, Thomas Powell, Thomas Huet, clk., Charles Walcott, William Watkins, Thomas Vaughan, Edward Herbert, Harry Vaughan.

Radnor :—Sir James Whitney kt., William Fowler, Clement Price, Thomas Lewes, Edward Price, John Bradshawe, Thomas Wigmore, David Lloyd Meredydd, Hugh Lloyd, John Price, Morgan Meredydd, Owen Phillipes, Lewes Lloid, Henry Stanley, Roger Vaughan, John Baskerville.

At Ludlow, 7th February, 1582.

Whereas divers letters have been sent to the Council by the Lord Treasurer and the Chancellor of the Court of Exchequer mentioning fo. 188v. Look my LordTrea-

[1] Richard Davyes, d. 7th Nov. 1581.

surer's letters 5 [ ] leaves before touching spoil of woods.

the great spoil of wood hereabouts, misliking much that greater care is not had therein for the better provision of this house, and straightly charging in Her Majesty's behalf that it may be so husbanded hereafter that no further cause of complaint be made. And whereas order was set down by the said Treasurer and Chancellor that the woodward of Hereford should yearly deliver from the woods called Mocktree, Bringwood and Orleton wood 600 loads of wood and coal, to the officers assigned by the said Lord President and Council for the Castle at Ludlow ; the proportion of wood and coal being delivered when and where shall best suit the preservation of the said woods. And whereas also by the consideration of the Lord President, certain inclosures were lately made within the said forest of Mocktree and the Chase of Bringwood and for preservation of the spring after the felling according to the Statute, whereby, respecting the number of cut trees and the decay otherwise, the spring is so increased that by continuance of inclosures from time to time for that purpose the felling of wood for the provision aforesaid shall be most beneficial in time to come : and for that it seems very requisite to the Lord President and Council to give like order for enclosures of such parts of Orleton Wood as have been by negligence or want of good husbandry heretofore decayed or shall be cut down or felled at any time within 3 years from now for the provision aforesaid.

It is therefore ordered that a letter rehearsing the premises be addressed to the keeper of that wood or his deputy to give order for the like fencing and inclosure of such parts as upon the felling have not heretofore been preserved, to the end that the spring, according to the statute, may be maintained. Letting him to wit that from the receipts of the fines of this court he shall have allowances of charges therein, upon exhibition of his bill. The Queen's letters and those of the Lord President and Chancellor of the Exchequer shall be sufficient warrant for him to do this, straightly charging all the inhabitants and tenants of Orleton and all others of the neighbourhood to have care that the grounds so fenced and the inclosures be not infringed or by any means hurt, as they will answer the said contempt at their peril.[1]

H. Sydney, E. (?) Walter.

Note.—Registered by the original and agreeth with the same which is returned to the office. *T. Sherer.*

fo. 219v. The Warrant for discharge

To the right honourable and my very loving friend Sir Henry Sydney Kt. of the Order and Lord President of the Council in the Marches of Wales.

[1] Cf. above, pp. 190–1, 210.

My very good lord. Upon sundry information made to the Lords of Her Majesty's Privy Council, of the great charges which the shires were at every year in training such soldiers as heretofore were allotted to them, it has of late for divers good considerations pleased their lordships to write their letters[1] into all the shires of the realm to surcease this training and charge, as your lordship shall perceive by a minute under their hands which I have thought good herewith to send to you so that the like may be done in the shires of the Principality. And therefore pray your lordship to signify so much to the Sheriffs and Justices of the Peace in every of the said counties. And this shall be to your lordship and them a sufficient warrant. And so I commit you to the Lord. From Greenwich, 20th May 1582.

Your lordship's very loving friend, F. Walsingham.

of the trained soldiers.

At Hereford, 15th July, 1582.

Forasmuch as the Lord President and Council have received intelligence as well from the Sheriff and Justices of the Peace in the county of Worcester, as by report of others of credit, that the inhabitants of divers parts of the said county of Worcester have of late found themselves greatly grieved with the purveyors of this house touching their provision of carriage as well at the removal of the household as otherwise for corn, malt and other victuals for this household, alleging that at such time as one carriage may suffice, there is warning given by precept to a number of parishes and for provision for a great number of carriages sometimes 15 miles from the place where they should be had, a matter, it is said, for the gain of the purveyors and very burdensome to the country, which this Council greatly mislikes. And as the said Justices of Peace have offered that any time hereafter when any carriage shall be needed for Her Majesty's service in the provision aforesaid, upon convenient warning thereof to them from the steward of the household by letters upon warrant given to him by the said Lord President and Council, they will thereupon give order for such carriage in such sort as may be well liked, to the contentment both of this Council and of the country people.

fo. 208v. Purveyors.

Upon consideration whereof the said Lord President and Council, to avoid such charges and trouble to the subjects, have thought good presently to set down order therein and have therewith given commandment to Edmund Pakenham Esq. now Steward of Household that from henceforth for provision of carriage for this household out of that shire, he shall make his warrant to the said Sheriff and

[1] *A.P.C.*, xiii, 1581–82, 402, 20th May, 1582, 'This day were signed by their lordships certain letters to the Sheriffs and Justices in all the counties of the realm concerning the forbearing of training of soldiers heretofore appointed.'

Justices of Peace for the time being, and not otherwise. The copy of this order shall be sufficient discharge to the Steward in that behalf. And hereupon a letter rehearsing the whole premises shall be directed to the said Sheriff and Justices and to every of them, letting them to wit that as the said Lord President and Council have upon their information taken order as aforesaid, they doubt not but that their care will be such in execution thereof at all times hereafter for the provision of this Her Highness' household, according to the necessity of the time, with such indifferent consideration of the appointment of carriage as may not be thought otherwise than equal, avoiding surcharging or unnecessary imposition, for doing whereof these the Queen's Majesty's letters with the letters of the steward before named shall be their [? sufficient warrant].[1]

fo. 212v. *The Names of the Justices of the Peace in the County of Salop, by Commission dated in October* 1582.

Thomas Bromley kt. Lord Chancellor of England, William L. Burghley, Lord Treasurer of England, Henry Sydney kt. Lord President of the Council, John Bp. of Worcester, Vice-president of the Council, George E. of Shrewsbury, William E. of Worcester, Henry E. of Pembroke, William [Overton] Bp. of Coventry and Lichfield, John [Scory] Bp. of Hereford, Nicholas [Robinson] Bp. of Bangor, Richard [Davyes] Bp. of Meneven,[2] William [Hughes] Bp. of St. Asaph, Edmund L. Stafford, James Croft kt., William Ayleffe, Francis Wyndam, George Bromley kt. Justice of Chester, David Lewes, Master of the Court of Requests, John Perrot kt., Hugh Chomley kt., John Lyttelton kt., John Huband kt., Arthur Manwaryng kt., Roland Hayward kt., John Puckering serjeant-at-law, Charles Foxe, William Aubrey, William Gloucester, Elizens Price, Edward Leighton, Henry Townshend, Richard Pates, Ralph Barton, Jerome Corbett, Fabian Phillipes, William Leighton, John Price, Robert Corbett, Henry Vernon, Edward Brey, Edward Cornewall, Robert Needham, Roland Lacon, Francis Newport, Walter Leveson, Roland Barker of Haywood (Haghward), Thomas Powell, William Fowler, William Gratewood, Thomas Williams, Thomas Scryven, Richard Lee, Andrew Chorleton, Francis Lawley, George Clive, William Young, Francis Kynneston, Edward Walker, Robert Pyggot, Charles Walkott, Simon Kemsey, Edward Davyes, William Madder.

[1] This word comes at the foot of fo. 208v, and as ff. 209–10 are torn out, the copy of the order is incomplete. Despite this order the abuse of purveyance was noted as a matter requiring attention when the Earl of Pembroke succeeded to the Lord Presidency, and complaints on the subject continued so long as the Council continued to exist (Skeel, 116, 246–7).

[2] Died 7 Nov. 1581.

[*Latin.*]

The Queen to the Justices of the Peace in the counties of Hereford. As the Statutes against taking and keeping possession of lands and tenements by force have been broken by Richard Stead, John Stead, Johanna Stead widow of Philip Stead, Richard Stephens, Thomas Smithe, Walter Richards, John Bithell, Thomas Grubb and John Baker and others at Pembridge in that county who took and still occupy a messuage and lands in possession of John A. Weston, the Justices, or any of them, are to proceed to the messuage and if they find any of the unlawful occupants there, to seize and put them in gaol until they make fine &c. ff. 215–16.

Westminster, 26th November 1582.

[*Letter from the Privy Council.*][1]

To Sir Henry Sidney and the rest of the Council. After our right hearty commendations unto your lordships. Whereas not many years since there were divers commissions under the Great Seal of England sent with instructions annexed through the whole realm for the mustering of Her Majesty's subjects which were taken to be yet of force upon any signification thereof to be given either from Her Majesty or from us. Forasmuch as in these dangerous times the Isle of Anglesey being under the jurisdiction of your commission is carefully to be looked unto and provided for: we have thought meet to require you upon receipt hereof to direct your commissions to such persons as were formerly authorised to take musters, forthwith to view and put in readiness the force of the said isle according to the former commission and instructions. And forasmuch as if anything should be attempted, the isle is to be relieved from the counties of Merioneth and Carnarvon, we think it requisite that you cause the like musters to be taken there also, and besides to have a care that upon any other occasion of service no soldier be levied and taken out of those shires but that the inhabitants be suffered to remain at home to be ready to defend the said isle as it has been ordered in like case heretofore. And as the gentlemen and Justices of the Peace in Anglesey are like to have best care for the defence of the said place and know what is meetest therefor, seeing that we find that in the time of Queen Mary for this purpose some gentlemen of Anglesey were joined with the Sheriffs and Justices of Peace in the counties of Merioneth fo. 217.

[1] The Register of the Privy Council is lost between June 1582 and February 1586, so that this and the following letters from that body throw a little new light on its acts and composition in 'these dangerous times.' For the subject of the letter cf. above, p. 49.

and Carnarvon in the taking of these musters. We think it expedient and pray you, in the commissions and letters you send into those shires for this purpose, to appoint some of the principal gentlemen of Anglesey to be in readiness with the gentlemen and Justices of either shires, so that the required service may be better performed, and they jointly to certify the force of those shires. Trusting that this shall suffice both for you and them and praying you to certify us what shall be done with as much expedition as you conveniently may, we bid you heartily farewell. Westminster, 12th January 1584.

T. Bromley, W. Burghley, E. Lincoln, Francis Bedford, R. Leycester, H. Hunston, James Croft, Christopher Hatton, Francis Walsingham.

[*Letter from the Privy Council.*]

fo. 217v. Whereas of late you received direction from us by Her Majesty's commandment to give order for the Sheriffs and Commissioners for the musters in the counties of Anglesey, Carnarvon and Merioneth to view and muster the able men there to the end they might be ready to defend themselves and their country on occasion. And whereas it is thought meet that the sufficiency of men and their furniture be reviewed by some person skilful in martial services that defects may be supplied as also that the men may be trained in the use of their several weapons and the knowledge of their points necessary to private soldiers, as is done in other parts of the realm. These are to let you know that upon the good opinion conceived of Richard Gwynne of [Aber] Conwey, Esq. he has been specially chosen by us to repair forthwith into the said counties and as a Muster Master to view and train the men according to the instructions delivered to him from us. And forasmuch as the said Richard Gwyn has heretofore at the entreaty of the Commissioners and inhabitants of the counties of Carnarvon and Anglesey been employed to train shot amongst them, for which they have voluntarily given him certain allowance as appeared to us under their hands, which we hope they will allow him for these services, we have thought good to pray and require you (as directed from us) to write letters not only to them but also to the Commissioners in the county of Merioneth, to require them all to procure the like allowance to the said Gwyn. Whereunto we doubt not but the two first counties will as readily condescend as they have heretofore been willing to yield to the like of themselves, considering it shall only tend to their own safety and the defence of this country; and by their example we trust the third will not

refuse for the same respects. From Greenwich, 20th May, 1584. Thomas Bromley Chancellor, W. Burghley, R. Leycester, Ch*arles* Howard, H. Hunsdon, Ch*ristopher* Hatton, James Croft, Francis Walsingham, W. Mildmay.

To Sir Henry Sidney kt. and the rest of the Council.

ff.218–19. R. Gwyn elected a Muster Master.

Instructions for Richard Gwynne Esq. by Her Majesty specially appointed to repair into the counties of Anglesey, Carnarvon and Merioneth to take a view of the able men, armour and weapons put in readiness within the said counties and to train the shot and soldiers in the use of their several weapons etc.

Whereas upon the good opinion conceived of your skill, judgement and dexterity in martial discipline there is special choice made of you to be a Muster Master and to train such men as by Her Majesty's late commandment are put in readiness in the counties of Anglesey, Carnarvon and Merioneth, you shall upon receipt hereof repair into those counties to be at the principal towns by the 10th, 12th and 15th days of June next, there meeting the Sheriff and Commissioners of the musters appointed by former direction to attend that service. Unto them, after delivering your letters, you shall impart the effect of these instructions and acquaint them with the manner of training intended to be held and consider with them of fit days and places to train and view the number certified. Which being agreed upon, if you shall find that the Commissioners have already appointed captains, you shall require the Commissioners to order them to be present when and where appointed that they may see what course you take in training, so that one uniform order may be held to. And if there have been already no special captains appointed, then shall you advise them presently to make choice of persons fit therefor, and of the best affected in religion, which we could wish to be some of the principal gentlemen in those counties or their eldest sons, and the inferior officers to be otherwise chosen of men heretofore acquainted with martial services if any such be resident there.

Item, you shall confer with the Commissioners how those certified may be mustered and trained in two different parts of each county as you think it convenient, so that they may be viewed and trained at the more ease of the inhabitants and least trouble to the county. And before you proceed to the viewing and training of the men you shall require the Commissioners to deliver you a copy of their muster roll that you may consider the numbers and quality of their weapons for their division into bands, allotting 200 men to each band, sorting their weapons in proportion to each kind of weapon as is requisite if they are to be brought into present action of service.

Item, you shall see that in every division all the shot (of whom the principal care of training is to be had) are assembled in one place of every division where you shall begin your training. And as there are two months limited for this training of the shot and viewing of the men's armour and furniture, it is thought good that you begin with the training of the shot, wherein you may bestow the first two days of every week in each division, and other two days in the same week in viewing the pikemen, bowmen and billmen and their weapons so that four days in every week be so spent, dividing the days to the best commodity of your service, and so weekly for the first month to pass once through the whole shire from division to division. Such defects as you may find in the men, armour or weapons at your first review, you may cause to be supplied in the second view to be made in every division the last month, in which view we require you to have care specially that the bowmen found insufficient for the use of that weapon should be changed and choice made of others more fit and able in strength to handle it, causing them to be produced in the second view.

And to the end the shot may be brought to some better readiness in the use of the caliver for the second view, it is thought expedient that in your absence after the first show of training, the captain or captains appointed to have charge of the bands do upon every half holiday and holiday and on the Sunday in the afternoon, assemble the shot in a fit place in each division and exercise them as shewn by you. And where the captain is unskilful, being as we wish the eldest son of a principal gentleman, and have no under officers experienced in the wars, then may you cause some man skilful in martial profession inhabiting thereabout to assist him.

Item, you shall admonish the captains in every division after the first time of your training that against your second repair there, they prepare to every band an ensign and a drum if they shall not be already provided.

Item, the two first days of training the shot you shall only instruct them how to handle the arquebus with the use of the false fire for the most part, to avoid consumption of pow[d]er, whereby they may learn how to yield their bodies in comely sort to the piece and assure their eye to the fire ; and in your second training, where you shall have seen how they have profited in the exercise of the arquebus by your instructions and the diligence of every captain, then may you proceed to teach the soldiers how to skirmish, wherein you may reasonably employ two other days if it seem expedient. The shot thus trained, you shall cause every captain to assemble his whole band under his ensign and present them in the field before you that you may shew them how to march and bear their weapons, acquaint them with the sound of the drum and every other like

point appertaining to a private soldier (the manner whereof is wholly referred to you), causing then a perfect roll to be made of the men and their furniture. Herein you may likewise spend other two days in every division the second month.

Finally when you shall according to these instructions have trained, viewed and mustered the whole number of the counties within the time limited for your stay for the execution of this service, if you see the defects of the armour, weapons and furniture not supplied according to your first direction, you may then charge the Commissioners in her Majesty's name to see the said supplies had and made by the last day of September next at furthest. And so make your return hither to certify what you have found and done, bringing with you the doubles of the muster rolls of all persons mustered before you. Dated Greenwich, 20th May, 1584.

Thomas Bromley Chancellor, W. Burghley, R. Leycester, C. Howard, John Hunsdon, Francis Knollis, Chr*istopher* Hatton, James Croft, Henry Sydney, Francis Walsingham, W. Mildemay.

At Ludlow, 17*th June*, 1584.

This day John Davies of Speenhamland in the county of Berk- ff.211v–12
shire came before the Council desiring that a deputation made to him and others by Humfrey Michell Esq., of the office of water bailiff of the River Severn, under the hand and seal of the said Humfrey Michell might be registered in this court as the like heretofore have been. And upon sight of the register in that behalf the same is granted to him, the tenor whereof ensueth.

To all true people to whom this present writing shall come Humfrey Michell of Old Windsor in the county of Berkshire Esq. sends greeting in our Lord God everlasting. Whereas by letters patent 16th June 1578 the Queen's Majesty appointed the said Humfrey Michel water-bailiff of the River Severn, so now for divers good and reasonable considerations we the said Humfrey Michell have by these letters ordained our loving friends Harry Hinde of Newbury co. Berkshire yeoman and John Davies of Speenhamland in the same county yeoman to be our lawful and sufficient deputies in the said office of water-bailiff, with all fees and effects pertaining thereto. Whatsoever they lawfully do in that office we the said Humfrey Michell promise to ratify. Witness this writing of deputation, to which the said Humfrey Michell has set hand and seal, 1st June 1584.

Sealed and delivered in the presence of John Searle, George Michell. Subscribed in this sort, Humfrey Michell.

Exemplified T. Sherer.

At Ludlow, 8th December, 1584.

ff. 220–22. Forgery. At which day Thomas Higgons relator, William Whitacres and Adam Whitacres defendants appeared before the Council who deliberately heard and examined the matter comprised in these books against the defendants for the writing, forging, publishing and proclaiming of the indenture of the lease mentioned in these books. Which being now brought and shewn by one Michell Chambers gent. also named in these books, purports, that one Roger Thornes Esq. and John Thornes Gent. his son and heir apparent did in a° 16 Henry VIII devise and let to farm to one William Whitacres late of Shrewsbury deceased, father of the said Adam, one pasture called Hencot Sty, near to the said town of Shrewsbury, for and during 99 years. And whereas the relator by way of information has charged the defendants that since Her Majesty's last general pardon they have most falsely forged and procured to be forged the said indenture, thereunto fixing 2 seals with impressions thereon as the seals and deeds of the said Roger and John Thornes, and the same lease, so forged, have oftentimes published within the last three years besides exhibiting the information as a true lease and as the act of Roger and John Thornes. And that under colour of the said false deed the said Michell Chambers and one John Clerk entered into the said pasture, being the soil and freehold of the said relator by him purchased of one Edward Slegg who was thereof seised in his demesne as of fee by conveyance from the said Roger and John Thornes. And the possession thereof by colour of that forged lease the said Chambers and Clerk detained and kept for divers years by conveyance from the said Adam Whitacres. Whereunto the defendants plead severally not guilty. Whereupon issues were joined and the number of 19 witnesses brought on behalf of the informer whose depositions in writing are hereto annexed, over and besides divers other witnesses examined at this time at the bar, *viva voce*.

And forasmuch as upon publication and hearing thereof 14 of these witnesses have testified that the said William Whitacres confessed to them severally at several times that he did write and forge the said lease (the date thereof being long before he was born) with his own hands by procurement of his uncle the said Adam Whitacres, and that the said William confessed also to some of the said witnesses that he endorsed the names of the witnesses on the back of the said lease and set seals thereto. And as the said lease compared with other writing shewn in court (which the said William Whitacres confesses to be his hand) it appears that both are of one handwriting, and so testified by some witnesses examined at the bar *viva voce* which knew the same. And the said William Whitacres after this order of commitment against him procured

having as it seems to this court some remorse of conscience has eftsoons confessed his offence according to his former confessions before deposed and proved. And touching the said Adam Whitacres, albeit he stands to his denial that he procured the said William to forge the said lease, yet as he confesses that he had no other interest in the said pasture since the death of Ales Whitacres his mother, but only by colour of the said lease which appears to the Council false and forged, which Adam Whitacres found, he says, among his father's writings after the death of his mother and taking it to be good (as he saith) by force of it detained possession of the pasture. And forasmuch as the said Adam Whitacres is falsified in his allegation, in that he mortgaged the said forged lease to the said Chambers as a true one, and also the deposition of Sir George Crane clerk and Richard Thornes gent. and several letters written to Adam Whitacre from one Edward Slegg gent., in whom the reversion and fee simple of the pasture then was, as the said Adam came to its possession after the death of his father and mother by a true lease for about 40 years (as was affirmed) made by the said Roger Thornes and John Thornes to William Whitacres father of the said Adam, and which (as it was proved) was subscribed with the hands of Roger and John Thornes ; and which as the said Sir George Crane clerk has deposed was pawned to him by Adam Whitacres for 40 shillings and afterwards extended for the debt of the said Adam to the use of one Blake of London, and that the years there contained did not expire until this 8 or 9 years past. And since that time by his own confession to Edward Slegg, the said Adam had no other interest but at the will of the said Edward Slegg (as is also proved). And as also it is proved that the same Adam upon his oath presented this pasture as concealed lands and yet after failing in this, as he himself confesses, entered into communication with Edward Slegg to purchase the same and gave him 40*s*. earnest money which he had again. Whereby it is evident that if the said lease for 99 years had been a true one, the said Adam Whitacres would not so have done but would have made more account of it. And as also it is sufficiently proved that the said Adam and William Whitacres have since the commencement of this suit withdrawn themselves into secret places and could not be found to be served with process but by the great travail and watch of the informer and his friends ; and that the said Adam when arrested with process drew his falchion or hanger and sore hurt and wounded the relator therewith, the scars remaining yet upon the relator's arm. And as it is proved that the said William Whitacres also absent was relieved by the said Adam in Montgomeryshire and that they were both very anxious to have this matter suppressed by way of arbitrament. And as also the said Adam

confesses that in the beginning of this term before the matter came before the court, at the request of the said Michell Chambers he joined him in an assignment of the interest and term of years comprised in the said forged lease to one Lee of London intending as he says to bring a suit at Common Law for the title of the term of years contained in the said forged lease :

So having consideration to the confession of the parties, the circumstances of the process and other testimony before recited, it appears to the Council that William Whitacres the defendant by false conspiracy with the said Adam Whitacres has willingly, subtly and falsely forged the said indenture of lease since the last general pardon ; and that the said Adam Whitacres by whose procurement and for whose only benefit the forged lease was made has likewise since the general pardon proclaimed the same lease and challenged interest in the premises, and that he and his assignees have since taken the profits of the premises and conveyed his pretended interest to the said Michell Chambers, who, together with the said John Clerk, have manured and occupied the said pasture for 2 years under colour of the said forged lease to the great injury of the relator, the premises being worth £5 yearly. It evidently appears therefore that the said William and Adam are to be convicted as forgers and so this Council adjudges the said lease for 99 years to be a false and forged lease and the said defendants forgers and proclaimers thereof.

Therefore it is ordered by the Council that the said lease shall be cancelled and made void, and that the said defendants shall be committed to ward to the porter's lodge there to remain until the further minds of the Council shall be known for their enlargement, and further that they pay to the Queen's Majesty 20 marks[1] apiece as fine, and £5 to the relator for his costs. And as such notorious offences are not to be passed over without exemplary punishment, notwithstanding the poverty of the defendants, it is thought meet that they sustain exemplary punishment according to the statute[2] provided, i.e. to be set upon the pillory in Shrewsbury and either of them to have one ear cut off and afterwards suffer imprisonment for one whole year without bail or mainprise. And hereupon letters to the bailiffs of Shrewsbury to execute the punishment of the pillory and cutting off of ears at such days and times and in such sort as the Council shall hereafter give further direction, on pain of £100.

[1] ' Pounds ' written and scored through.

[2] Stat. 5 Eliz. c. 14, ' An Act against forgeries of false deeds and writings,' by which the penalty for forging documents concerned with real property was fixed at that herein recorded. Cf. Stephen's *Hist. of Criminal Law* ii, 181–2.

[*Letter from the Privy Council.*]

To Sir Henry Sidney and in his absence to the rest of the Council there. Your lordship shall understand that Her Majesty having a special care for the provision of such things as are requisite for the necessary defence of the realm, amongst other things has thought it convenient that there should be a certain proportion of powder and match had and kept ready in divers of the maritime towns and boroughs of the realm, wherein there is order taken that there shall be at very reasonable prices a quantity delivered to such as you shall appoint to receive the same. fo. 222v.

These shall be therefore to pray your lordship to give order presently to the cities and towns within your government contained in this schedule, to send some one to receive the quantity therein expressed at the hands of Henry Sale merchant of the city of London paying for the same 11*d.* the pound. The which they may keep in some convenient place to be employed as occasion may serve and so from time to time to be renewed. Wherein, trusting your lordship will use that care which is convenient, being a matter that concerns the defence of the realm, we bid you heartily farewell. From Nonsuch, 16th September, 1585.

R. Leycester, C. Howard, [H] Hunsdon, Chr*istopher* Hatton, F. Knolles, Fra*ncis* Walsingham.

	Powder.	Match.
Anglesey—Beaumaris with the whole isle.	one last	5 cwt.
Pembroke Haverfordwest . . .	half last	2½ cwt.
Carnarvon	*ibid.*	*ibid.*
Cardiff	*ibid.*	*ibid.*
Conway	quarter last	1¼ cwt.
Denbigh	quarter last	1¼ cwt.

[*Signet Letter.*]

To Sir Henry Sydney.

Whereas we have cause to use the force of some further of our good subjects to be employed as soldiers in the Low Countries, and for that purpose have resolved that 200 shall be taken from the 6 south shires of Wales, we will and command you therefore forthwith upon receipt hereof to give order that without any unnecessary stirring of our people, there be mustered and levied there 200 able men to be well chosen for this service. The armour, weapons and furniture we will you to cause to be allotted and sorted according to the direction you shall receive from our Privy Council. And likewise for their captains, leaders, coats and conduct money and for the time and place of their repair and transportation, and for ff.226v–27

the numbers to be levied out of each of those shires with other things incident thereto, we refer you to the directions from our Privy Council which we will you to cause to be performed, these our letters being to you and them sufficient warrant. Given under our Signet at our manor of Richmond 16th November, 1585.

Wynnybank. Exemplified by T. Sherer.

[*Letter from the Privy Council.*]

Wherein by Her Majesty's letters lately addressed to you, you are required to levy within the said 6 counties of South Wales 200 able footmen appointed to be sent into the Low Countries for Her Majesty's service under the charge of Sir Philip Sydney kt.,[1] for the levying, arming and furnishing of which you are required to follow the directions given you from hence. These are therefore to pray and require your lordship to have care that the men be well chosen and of able bodies to serve. And because we believe that the counties where they are to be levied will hardly provide them of such necessary and serviceable armour and furniture as is requisite for the present service, and that Her Majesty is unwilling that the armour of the counties should be carried out and the counties left destitute and unfurnished upon any occasion of defence : and further as the carriage of the armour and weapons so far as from there to London where the men are to be embarked will be very chargeable to the said counties, it is therefore thought more convenient that in the several counties where the men are levied there should be a present collection had of as much money as may suffice to provide armour and weapons here at London at the rate of £4 for every man, which your lordship may cause to be indifferently taxed upon the whole 6 counties in general with least grievance to the inhabitants. And the money so collected (which you shall cause to be done with all convenient expedition) shall be sent up by some trusty and well chosen person for the speedy provision of the armour and furniture, taking order also that there be delivered to the soldiers for their conduct money after the rate of ½*d.* a mile so much as shall suffice from the several places of their levy to the city of London where it shall be immediately repaid to such persons as are appointed by your lordship of the counties to receive it. We think it meet also that the said 200 men should be provided there with coats to be made of 'motley' for warmth and lasting if there may be had enough of that kind therefor. Towards the charge allowance shall be likewise made and answered at London at the rate of 4*s.* for every coat. Your lordship moreover may not fail to cause all possible expedition and diligence to

[1] This was for the campaign which ended fatally for Sydney at Zutphen.

be used in the levying of the men and money for their armour as aforesaid, and you shall cause the men to be delivered to the hands of Richard Gwynne gent.[1] appointed by Sir Philip Sydney to have their charge and conduct to the place of service, and that the choice of the men be such as may be good liking to the said Richard Gwyn being a man of service and experience, able to judge of their fitness in that behalf. From the Court at Richmond, 21st November 1585.

Upon better consideration we think it fit you forbear to provide coats for the soldiers there as they will be more conveniently provided at London, and our meaning is that the £4 for every soldier will discharge the counties of all other burdens or charges.

T. Bromley Chancellor, W. Burghley, Ch*arles* Howard, H. Hunsdon, Ch*ristopher* Hatton, Fra*ncis* Walsingham.

At Ludlow, 10*th December*, 1585.

Whereas Sir Henry Sidney has been absent from the charge committed to him as Lord President of this Council for 2 years last past, in which time he has been otherwise employed as one of Her Majesty's Privy Council, during which time also report has been made to Her Highness and her Privy Council of many outrageous offences and misdemeanours committed in divers parts of the limits of this commission, and specially in parts of South Wales, and no correction or punishment used: which has been imputed by Her Majesty to the said Lord President as a great default. And forasmuch as the Lord President since his return to this place of government, calling to remembrance Her Majesty's reprehension, has by the great travail of himself and the Council in hearing causes this last term and by credible advertisement, received intelligence that the occasion thereof chiefly arises by reason of parties fighting and committing misdemeanours at the time of resort to the Assizes, Sessions, Fairs, markets and other places of assembly, no complaint or information of which is made to the Lord President and Council, nor certificate sent from the Sheriff or Justices of the Peace or other officers, and so the offence and offenders not being known to the Lord President or Council, the default rests chiefly in the Sheriffs, Justices of the Peace and other officers of the limit where the offences have been committed, by whose negligence murders, manslaughters, and unlawful and riotous assemblies with monstrous weapons have ensued not only to the breach of Her Majesty's peace but also to the great disquiet of the country. ff. 237–38.

And although the chiefest cause of the establishment of this Council in these parts is to keep the country in quiet by suppressing such disordered attempts, yet such is the malice of

[1] Cf. above, p. 219, for other reference to Gwyn, and also *A.P.C.*, xiv, 372–3.

the people, that rather than make complaint or information to this Council they will revenge their supposed injuries and prosecute one another by extreme expense and travail out of the limits of this court being specially appointed to redress the same. Whereof the said Lord President and Council having no notice cannot but only lay the fault to the Sheriffs, Justices of the Peace and other officers. And as it is Her Majesty's pleasure by special direction to the Lord President and Council that such defaults of officers should be corrected and punished according to the laws and her Instructions, as they shall think meet, the Lord President upon conference with the rest of the Council has thought it very necessary to remember, renew and put in execution the politic devices and ancient order of this court for certificate to be made monthly by the Justices of Peace and officers in every place of government. Whereby the Lord President and Council for their charge over the whole, as they in their several allotments, may do what to their duty severally appertains.

It is therefore ordered that letters rehearsing the premises be addressed to the Sheriffs, Justices of the Peace and other chief officers of the shires, cities, towns and other privileged places undermentioned: requiring them thereby to have due consideration of their charge and duty in such sort as they may be answerable, bending their whole study to the common quiet of their country and the doing of justice. For that the Sheriff of the county forthwith upon receipt hereof is to give warning to the rest to meet at the next quarter sessions and then and there to set and agree in writing to divide themselves into several hundreds and limits according to the size of the shire or other privileged place, and after such division to consider what misdemeanours and other offences have been committed in that county and their several limits since the Feast of St. Michael and the Archangel last past and not punished effectually by order of law nor suit commenced in any of Her Majesty's courts, nor certificate made to their knowledge. And thereupon not only to certify to the said Lord President their allotments with a note in writing of the offences committed as before appointed, but that every of them endeavour themselves in their allotments to apprehend both parties in the misdemeanours and bind them with sureties for such sums as they think the offence requires, to appear before the Lord President and Council the 25th January next to answer therefor; and on appearance not to depart without licence. And then also to certify their several allotments, the offences and offenders aforesaid, together with the bonds taken and so to continue monthly until further order. Or else if they cannot so do without a charge in sending a special messenger with such certificate each month, then to certify from time to time as

necessity requires, and specially in the beginning, or within a week of the beginning of every term held before the said Council. Letting them to wit that if they omit so to do they shall be sent for to answer their negligence and remiss dealing therein, and to receive condign punishment therefor according to the discretion of the Council. Provided nevertheless that if there be not 2 men on either side in every affray with weapons, and in every riot, rout or unlawful assembly 4 men at the least to be taken as offenders, they need not certify against the offenders or put their commission for the apprehension of offenders into execution, anything contained above notwithstanding. But if the offenders in the cases aforesaid are of the number aforementioned then to proceed as aforesaid as they will answer for the contrary at their peril, and that on payment of £100 for every default.

List of Shires: Monmouth; the 12 shires of Wales.

H. Sydney, H. Towneshend, F. Phillips, Th*omas* Atkyns.

At Bewdley, 11th April, 1586.

Whereas the Queen's Majesty by her instructions[1] to the Lord President and Council has appointed that the receiver of the fines attending the Council shall be called to account for the receipt of the fines at such times as shall be thought meet to the Lord President and Council; and where also there has been and is an Auditor assigned by the said Lord President and Council to receive the same accounts and engross them on parchment, to remain of record in the custody of the Clerk of the Council, which office was supplied of late by one Robert Cloughe gent. during his life by the appointment of the said Lord President and Council, who for the exercise thereof had a fee of 4 marks yearly with other allowance belonging to the said office. After whose death one John Walwyn gent. exercised that office for certain years with like fee and allowance. And as William Pratt gent. by the special appointment of the Lord President and Council has taken the account of the Clerk of the Fines several times, wherein he has diligently and painfully travailed making a perfect record to remain as heretofore accustomed and according to Her Majesty's direction. And as the said William Pratt is found a very sufficient man for that service, therefore it is ordered that he shall continue the exercise of the office of Auditor, ff. 239–39v

[1] The instructions of 1574 (Clive, *Ludlow*, 328–9), ordain that 'the said Lord President or Vice-President and two more of the said Council shall call to account as often as shall be thought necessary, and at least once every year, the Clerk of the Fines or any other person or persons having, or that have had, the receipt of the fines and amercements set and taxed heretofore by the Lord President.' The Council was also required to send to the Privy Council every year a copy of this account. Nothing, however, is said of the office of auditor: cf. Introd. p. 26.

to take and receive the account of the Clerk of the Fines and all others which have or shall receive any fines or amercements arising before the said Lord President and Council. For the which [he shall receive] 53*s.* 4*d.* fee and other allowance incident to the said office, this order being registered by the Clerk of the Council to remain of record, and the copy thereof delivered to the said William Pratt shall be sufficient warrant to him both for the exercise of the said office and to have his fee and allowance aforesaid during the pleasure of the said L. President and Council and until they take further order in this behalf.

H. Sydney, Charles Foxe, Fabian Phillipes, Thomas Atkyns.

Compared with the original by T. Sherer.

ff.228v-229 Grant to Rowland Scudamore gent. of the office of Jailer in the counties of Gloucester, Worcester, Hereford, Shropshire, Chester, Flint, North and South Wales and the Marches, formerly held by Thomas Somerset now deceased. To hold during his life personally or by deputy with all fees profits &c. thereto appertaining as Thomas Somerset or others held it. Letters Patent, Westminster 16th April 1586, by writ of privy seal.

Booth. William Brend. Powle.

At Bewdley, 24th March, 1587.

ff.240–40v Henry E. of Pembroke, Lord President of the Council has lately received letters from the lords of the Privy Council of the 22nd February[1] last, signifying to him that Her Majesty, finding by advertisement from sundry parts beyond the seas that there is cause to doubt of some attempt against Ireland, for withstanding whereof she shall need to use the service of some of her good subjects to be transported thither from the most convenient place. In respect thereof it is Her Highness' pleasure that the said Lord President being Her Highness' Lieutenant-general authorised therein under the great seal shall give order within the several counties undermentioned for the levying and putting in readiness of as many able men as are contained in a schedule hereunto annexed, to be ready to march within 3 days warning. Upon further direction to be given in that behalf the said number are to be furnished and 'sorted' with weapons as like case appointed, i.e. in every band of 100 there shall be 40 shot or arquebus men, 20 armed corslets with pikes,

[1] There is no record in the *A.P.C.* of the ordering or despatch of such letters: but there are references to the same subject about this time, e.g. an order of 24 Feb. with the marginal note 'fears for Ireland' requiring the Lord Lieutenants of six counties, of which Chester is one, to levy and have in readiness men for despatch on three days' notice (*A.P.C.*, xiv, 339: cf. also 337).

20 bows and 20 halberds or good black bills provided, also of swords and daggers.

It is therefore ordered by the Lord President and Council to accomplish the order aforesaid that letters rehearsing the premises be sent to the Sheriff and Justices of the Peace of the counties mentioned in the schedule, and also to the chief officers of the cities and towns within the said counties chargeable to this service; giving them express command that they forthwith upon receipt hereof prepare to put the said number of men in readiness with armour and weapons as before prescribed, as may appear by the copy of the said letters therein enclosed, wherein the said Lord President as Her Majesty's Lieutenant-general of those particular counties, cities and towns also requires those to whom the choice of these numbers belongs, to have special regard that they may be of body for strength and sagacity meet for this service, and so well provided with armour and furniture that the captains in charge of them may have no just cause of complaint, as heretofore they have, finding great fault both with the persons of the men and their furniture. Of their doings herein, and of the forwardness of the service, they are forthwith to certify the said Lord President and Council as they tender Her Majesty's service, the defence of the realm, the safety of Her Highness' person and the common quiet of their country, and will for the contrary answer at their peril.[1]

Henry [E. of] Pembroke, Fabian Phillips, Jerom Corbett, Thomas Atkins. *Compared with the original by Ed. Broughton.*

At Bewdley, 1st April, 1587.

Whereas[2] in the matter of the tracks of stolen cattle, order was taken 7th Nov. 1572 to allow the inhabitants of the hundreds of Caerphilly and Llantrissant in the county of Glamorgan to follow the tracks and be charged parish by parish. Forasmuch as the Right Hon. the Lord President and the Council have received certificate from Sir William Herbert kt., Leyson Price and Jenkin Franklyn, Esqs., Justices of the Peace in the county of Glamorgan that the inhabitants of the Hundred of Neath there are greatly troubled and impoverished because their hundred adjoins the counties of Carmarthen and Brecknock, and in a great number of felonies committed in these counties, the track of the stolen cattle is lost in their Hundred, the owners not troubling to pursue it past half a mile sometimes from the place where the felony is committed: and as the Justices know by experience that through laxity, the width of the hundred, and the number of contributors to the payment of compensation, fo. 50v.

[1] The list of counties and the schedule of the number to be levied, is omitted.
[2] Cf. pp. 63–7, 98.

felonies are concealed there, felons not pursued or taken. Therefore they beg that the parishes in the hundred of Neath shall be responsible and chargeable as in the other two hundreds. This is granted by the President and Council and the order is to be registered in court to the intent that the inhabitants of the several parishes may take notice thereof accordingly.

Henry [E. of] Pembroke, Fabian Phillips, Jerome Corbett, Thomas Atkynes. *Compared with the original by Ed. Broughton.*

[*Letter from the Privy Council.*][1]

fo. 241v. To the Earl of Pembroke, President, and the rest of the Council. Forasmuch as your lordship's indisposition of health, whereof we wish you to have a special regard, is like to withhold you from being present at the next term to be held in the Marches of Wales, we think necessary, as there are but a few able and experienced Councillors resident there to assist Her Majesty's service next term, that Fabyan Phillipes Esq. one of the Justices of Assize for South Wales, should be dispensed from following that circuit—whose place may be supplied by some other sufficient person—to give his attendance at that court. Howbeit because we learn that great inconvenience falls out by reason the Justices of Assize for those parts supply their places by deputies, we pray your lordships to take order herein, and that special care be hereafter used that the Justices of Assize may (as they ought) be themselves at the Assizes and not serve the place by deputy. From the court at Greenwich, 2nd June 1588.

Jo*hn* [Whitgift] Cant., Chr*istopher* Hatton Chancellor, W. Burghley, H. Hunsdon, T. Buckehurst, T. Heneage, Francis Walsingham, Jo*hn* Wolley.

At Bewdley, 26th June, 1588.

ff.240v–41 Upon certificate by letters from the Privy Council and the Lord President of the Council lately sent to his lordship's deputy lieutenants in the several counties of this commission the said Council in respect of the necessity of the service tending to the defence of the realm,[2] for the speedy deliverance thereof have sent both the

[1] *A.P.C.*, xvi, 1588, p. 105, records the order for and form of this letter. A similar one was apparently written in 1590 (*Hist. MSS. Comm.*, Rep. xiv, App. iii, 247–8). The letter is of interest as containing a clear assumption of the powers of the Council over the Justices of Assize.

[2] Against the coming of the Armada. Letters were ordered to be sent to the Lord Lieutenants of the counties on the 1st April for the reviewing and training of forces, and on the 24th the Privy Council wrote to the Earl of Pembroke requiring him to take musters (*A.P.C.*, xvi, 16–17, 42–43).

pursuivants to deliver the said letters with speed as appertains. And forasmuch as Randle Tuder upon receipt of the letters aforesaid was in readiness to travel to London by special appointment of this Council for like service touching the deliverance of letters to the Lord Chancellor for the body of one John Yernold a disobedient person to the processes and orders of this court, for supply whereof in the absence of the said Randle Tuder now employed in service of greater importance, the said Council have appointed Richard Love one of the under porters to repair to London for the service aforesaid. For which purpose the said Council have sent by him the letters which by former direction were to be sent by Randle Tuder. And whereas the said John Yernold for his disobedience aforesaid remains in the Fleet by the order of the Lord Chancellor, until a messenger is sent for him to yield his appearance in this court, it is now ordered that Her Majesty's letters under her Majesty's signet of this court be directed to the said John Yernold commanding him according to such order as shall be taken with him by the Lord Chancellor, to yield himself prisoner to the custody of the said Richard Love, and in his company and under his arrest personally to repair to this Council to answer to such matter and contempt as shall be laid to his charge, on pain of £500. And forasmuch as Her Majesty's pleasure is by her instructions,[1] that such disobedient persons withdrawing themselves out of this commission shall be sent for by authority from this court wheresoever they shall absent themselves within the realm, therefore it is further ordered that letters placards be devised rehearsing the last recited premises for the safe bringing of the said John Yernold to this Council, commanding all officers and other the Queen's subjects to aid the said Richard Love in the due execution of the premises as for the contrary they will answer at their peril.

And as this is Her Majesty's service the said Richard Love is to be assisted with the aid of one or two to travel with him, and besides that shall have the charges of diet and horsemeat : the Council think meet that £4 be delivered to him in hand out of the receipts of the fines, and upon his return the same to be further considered as thought meet by the Council. The copy of this order shall be sufficient warrant to the clerk of the fines on this behalf.

Exemplified by T. Sherer.

Mem. That the original remains with Mr. Wavard in the absence of Mr. G. John Clerk of the Fines for his warrant touching the payment of the £4 mentioned. T. Sherer.

[1] By the instructions of 1574 the Council was empowered to order the return and appearance before the Court of any one who removed himself out of their jurisdiction after being summoned to appear for any cause (Clive, *Ludlow*, 314–5).

A Licence for Jevan Lloid late of Merioneth from the lords of the [Privy] Council.[1]

fo. 242v. Whereas we are informed by certificate under the hand of divers Justices of the Peace of good credit of the several counties following that the bearer Evan Lloid ap David of Nantmynach in the county of Merioneth, a man heretofore of good place and quality, is by means of suretyship and other casualties indebted and decayed in estate so that at present he is in some distress and poverty (which is to be pitied) ; and that certain of his kindred, allies, friends and well willers of good wealth, there and in the counties of Cardigan, Merioneth and Denbigh would willingly contribute and bestow upon him at his repair to them, certain sums of money and other gifts for the paying of such debts as he yet owes and recover him in some convenient estate and means of living if they and he might be thereunto permitted without danger of the laws and statutes provided to the contrary. These are therefore to license the said Evan Lloid during the space of 3 years next to repair into the counties aforenamed and to receive of his kindred and friends there inhabiting such money and gifts as they shall of their own accord and without compulsion give to him, without any molestation or prejudice against him or those by whom he shall be relieved. Praying you to yield him your good liking and furtherance herein together with your favourable aid and best advice to others your friends for his better and more speedy succour. From the Court at Westminster, 30th April, 1589.

John [Whitgift] Cant., H. Derby, T. Buckhurst, H. Cobham, James Croft, Fra*n*cis Walsingham, J. Perrott, J*o*hn Wolley.

To all Mayors, Sheriffs, Justices of the Peace, Bailiffs, Constables, Headboroughs and all other Her Majesty's officers and subjects to whom it may appertain.

fo. 243. [Letter from the Privy Council. It recites the grant of the previous year to Evan Lloyd ap David, complains that its execution is 'restrained by some prohibition' of the Council, because of 'some information given against him in the Court of the Marches,' and prays and requires the Council to allow the free execution of the licence granted. Richmond, 23rd Dec. 1590.][2]

At Bewdley, 2nd July, 1591.

fo. 243v. Between Richard Pooler plaintiff and Richard Caswalde and Elleanor his wife defendants. At which day the plaintiff in person

[1] There is no reference to this in the Privy Council Register.

[2] The full text of the letter, identical with that given in the Register, is printed in *A.P.C.*, xx, 1590–91, p. 131.

and Richard Caswald one of the defendants for himself and his wife appeared before the Council. And forasmuch as the parties by their pleadings in this matter descended to issue, therefore it is ordered that this matter be continued until the 9th of November next, and then the parties to appear again. And a letter to the gentlemen subscribed to swear and examine both parties' witnesses upon such interrogations as either party shall minister touching the said matter; and their sayings to put in writing and to certify, etc., requiring the said commissioners further that in case they do not exercise the said commission, in the meantime of the 22nd September next, that then they meet that day at the church of Hartlebury co. Worcester by 9 a.m. for execution thereof, and that day one to proceed to the execution thereof in the absence or upon refusal of the other, and to certify etc. And the commission to be delivered to both commissioners 10 days before the said day of meeting, and the defendants to appear by attorney till the hearing. And upon examination of the matter, touching the leases within specified, it is further ordered that the said defendants at the next appearance in this order above specified, shall bring or send into this court the said leases undefaced and uncancelled, and that true copies of the said leases under test of this court shall be that day delivered to the said plaintiff. And it is further ordered that the said defendant shall not in the meantime commit any act to impeach the said leases or whereby the plaintiff may be in any way hindered of his interest in and to the premises in these books mentioned.[1] George Nashe, Richard Fearne, gents. *Ex. by Chr. Deane.*

fo. 236v.

Mem. that for the ease of the Queen's subjects from the unlawful vexations of the Undersheriffs, it is ordered by the Court the 8th February that all issues, amercements and seizures growing through the default of the lords or owners of any manors, lands or tenements for not doing their services, or non-payment of their debts or not answering their other duties to Her Majesty, shall not be levied of the goods or lands of any of the said tenants of the same holding by virtue or any lawful interest for years or lives by deed or copy made before the said services etc. became due, provided that the said interests are shewn to the Undersheriff at or before the execution of the process, but shall be levied of the goods and chattels of the same lords or owners themselves or of lands in occupation of themselves or such as have interest but from year to year at will. And if these be not sufficient then the Undersheriff shall levy the said issues etc. upon the yearly rents from the lands or tenements for

[1] No names of Councillors are given. Cf. above, pp. 108–9, 69, for other—and more important—examples of the appointment of special commissioners by the Council.

lives or years. And these shall be discharged for the same against the said lords by virtue of this order. All Undersheriffs now being, shall before the end of this term, and all future Undersheriffs the first time after entrance into office, have notice of this order given them by their attorneys here in court. And if any Undersheriff break this order after notice given, he shall be amerced £5 for every breach of it; the said order shall continue until the Court declare further order to the contrary.[1]

Exemplified by Robert Osborne 13th January 1592.

Exemplified by a copy under the hand of John Lewis Esq. one of the counsellors at the bar before the Council in these words 'This is a true copy John Lewis.'

Sherer, 25th February, 1597.

213v–214v *The names of the Justices of the Peace in the* 12 *shires of Wales as they are severally set down in the several commissions under the great seal of England, bearing date 15th August,* 1595: [2]

Pembroke:—Sir John Puckering kt., L. Keeper of the Great Seal, William L. Burghley, L. Treasurer, Henry E. of Pembroke, L. President of the Council, Robert E. of Essex, Master of the Horse, William [Hughes] Bp. of St. Asaph, Anthony [Rudd] Bp. of St. Davids, Sir Richard Shuttleworth, kt. Justice of Chester, Richard Atkins Justice of Great Sessions in the county, William Oldesworth Justice of Great Sessions there, George Devereux Esq., Hugh Cholmondley kt., John Wogan kt., William Leighton, Henry Townsehend, Jerome Corbett, Fabian Phillipes, William Fowler, Alban Stepney, Thomas Nevell, Thomas Jones of Armeston, Henry Adams, John ap Rice of Richeston (Riccareston), George Owen, Edmond Winstanley, Richard Edwards, Chancellor of St. Davids, Richard Grafton, Francis Meirick, Hugh Botler, Esqs.

Carmarthen:—First nine names the same, then—Hugh Cholmondley kt., William Leighton, Henry Touneshend, Jerome Corbett, Fabian Phillipes, William Fowler, Edward Den Leigh, Water Rice, John Morgan, Thomas Williams, Anthony Manxill, Richard Gwyn, David ap Price, David Lloyd of [the] Forest, Thomas Powell, Morgan John Harry, Phillipe Williams, Francis Lloyd, James Protherth, Rowland Gwyn, Jenkin David Jones, David Lloyd ap Gryffydd, William Gwyn, Esqs.

Cardigan:—First fourteen names as in list for Pembroke save that the Bp. of St. Davids and Sir John Wogan are omitted, then—Richard Price, Thomas Revell, John Stedman, Morgan Lloyd,

[1] Cf. above, pp. 98–9.

[2] Cf. above, pp. 212–13.

James Lawes, Thomas Price, Morgan David Lloyd, David Lloyd of Abermeurig (Abermaied), Thomas Parry, Morris Vaughan, Esqs.

Glamorgan :—First five names as Pembroke, then—Sir Richard Shuttleworth kt., George Kingiswill serjeant-at-law, and Thomas Estcourt Justices of Assize there, John Harbart Master of Requests, William Harbart kt., Hugh Cholmondley kt., Edward Stradling kt., Robert Sydney kt., Thomas Manxill kt., William Leighton kt., Henry Touneshend, Jerome Corbett, Fabian Phillipes, Anthony Manxill, Nicholas Herbart, Henry Mathew of Llandaff, John Gwyn, Lyson Evans, Edmund Mathew, Thomas Awbrey, Edward Prichard and Roger Sayst, Esqs.

Brecon :—First seven names as Pembroke, then—George Kingswill sergeant at law, Thomas Estcourt Esq., Hugh Cholmondley kt., David Williams sergeant-at-law, William Leighton, Henry Tounsehend, Jerome Corbett, Fabian Phillipes, Robert Knollis, Watkin Vaughan, Edward Awbrey, John Awbrey, John Games, John Price, Richard Herbert, John Walbeise, Roger Vaughan, Roger Williams, Walter Prosse, John Herbert, Esqs.

Radnor :—First nine as Pembroke save for omission of the Bp. of St. Davids, then—David Williams sergeant-at-law, William Leighton, Henry Touneshend, Jerome Corbett, Fabian Phillipes, William Fowler, Roger Vaughan, James Price, Gelly Meirick, John Penyston, Thomas Lewes, Edmond Winstanley, William Bradshaw, Richard Fowler, Clement Price, Lewes Lloyd, John Price of Pilleth, Thomas Vaughan, John Weaver, Bryan Crowther, Esqs.

UNDATED DOCUMENTS.

[*Confirmation of a charter.*][1]

fo. 57. The Charter to the Newtown in Montgomery.

Sciant presentes et futuri quod ego Nicholaus filius Willelmi filii Martini dominus de Kemeise dedi et concessi et hac presenti Carta mea confirmavi burgensibus meis de novo burgo omnes libertates et consuetudines subscriptas quas Willelmus filius Martini pater meus eisdem concessit et dedit per cartam suam. Scilicet quod habeant communem pasturam in terra mea et communia in aqua a fossato qui claudit villam versus Montem usque ad mare et aisiamentum de bosco ad domos et edificia sua et ad ignem per visum forrestarii. Item si burgensis moritur

[1] Printed in extenso. There is no date of issue or entry into the Register. Frequent reference to the 'ancient charter' of Newtown, said to have been first granted by Richard Duke of York, father of Edward IV, occurs in the evidence collected for a suit of 1615 concerning the possession of the tolls. The charter however could not be produced though it had been seen about 1580 (*Powysland Club Collections*, xii, 87 *seq.*).

de quacunque morte morietur nisi per judicium per feloniam vitam suam amittat ego nihil habebo de catallo suo nisi relevium suum silicet xij[d]. Item si burgensis tradit alicui viva aueria sua et ille de felonia vel latrocino rectatus vitam vel catallum suum amittat burgensis per bonos et legales probet aueria sua et habeat. Item si burgensis locaverit terram de aliquo libero homine et ille liber homo conventionem ei infringere voluerit ego debeo illum distringere ad conventionem illam tenendam. Eodem modo debeo distringere debitores burgensium unde habeant tailiam et testes quod eis reddant debitum suum. Item burgensis rectatus de aliquo forisfacto replegiatur vicinis suis. Item debeant habere prepositum et Cachepolum per commune consilium meum et suum. Item nullus mercator forensis emat vel vendat extra (*sic*) villam meam de novo burgo. Item burgensis rectatus de felonia vel latrocinio si dicit ego defendo feloniam vel latrocinium et quicquid super me dicitur bonam facit defensionem. Item burgenses non vadant in exercitum nisi sicut burgenses de Pembroke faciunt. Item cum predictis libertatibus concessi eis omnes libertates et bonas consuetudines de Pembroke. Omnes istas libertates concessi et confirmavi eis et heredibus suis tenendas et habendas de me et heredibus meis libere et integre et pacifice et quod ista mea donatio et concessio et confirmatio recta et stabilis imperpetuum permaneat huic Carte et confirmationi sigillum meum apposui hiis testibus. Domino Johanne de Arundell, Jordono de Canticona, Roberto filio Oweni, Henrico Goit, Willelmo . . . Welo ab Kinaim, Mareduth clerico et multis aliis.

Examinata, per me Michaelem Ferror.

fo. 80. Tempore H. VII et in tempore Arthuri principis filii dicti regis.

The copy of a certain schedule containing the names of certain Knights and Esquires appointed by the late king Henry VIIth to have fees to be assistant to his Commissioners in the Marches of Wales, subscribed with his own hand and found in the office upon search among other records there in 1574, the tenor whereof ensueth.

The names of certain Knights and Esquires appointed by the kings most noble grace in the Marches of Wales to have fees, whose names ensue, to be paid by the king's Commissioners there.[1]

[1] This may be a copy of the record described by Collins, *Sydney Papers*, 2, as amongst the Sydney papers 'there is a record for the payment of certain fees to be made by this Council to certain gentlemen of the Commission for the Prince's service: but whether to be paid out of the Diet or the Fines is unknown.' Sydney's care for its preservation may be taken to illustrate his zeal for the records. If the marginal note is correct it must be of date between 1492 when Prince Arthur's Council was appointed (Skeel, 30) and his death in 1501. Cf. also Gough's Camden, ii, 403.

For the County of Hereford.

	£	s.	d.	
Sir John Mortimer	6	13	4	The original remaineth with Sir H. Sydney Knight of the order, Lord President.
Sir Richard Delabere	6	13	4	
Sir Walter Baskervile	6	13	4	
Edward Crofte	5	0	0	
Richard Cornewall	5	0	0	
Rauff Hakeluyt	5	0	0	
John Gifford	5	0	0	

For the County of Salop.

Sir Robert Corbett	6	13	4
Sir Thomas Leighton	6	13	4
Sir Thomas Cornewall	6	13	4
Sir Thomas Blount	6	13	4
Thomas Scryven	5	0	0
Thomas Kynaston	5	0	0
William Mytton	5	0	0
William Leighton	5	0	0
George Manwaringe	5	0	0

For the County of Worcester.

Thomas Poyntes	5	0	0
Robert Russell	5	0	0
	101	13	4

H. R.

Elizabeth, by the grace of God etc. Whereas by the Parliament at Westminster a° 1 Henry V.[1] it was ordained that no Under Sheriff, Sheriff's Clerk, Receiver or Sheriff's Bailiff should be Attorney in any the King's Court during his tenure of office, and as we are informed that the Freesuitors Clerks and Bailiffs of the Sheriff of the County of Hereford have from long since and do exercise the office of Attorney in our monthly county court held in the Castle of Hereford for the county, contrary to the statute. Therefore, as we are minded that the office of Attorney shall be held by men capable and apt for it, know therefore that we of our grace, special certain knowledge and mere motion. . . . fo. 130.

The Advantages and Profits that the King's Highness may make of his land of Ireland.[2] fo. 131. Ireland.

[1] *Rot. Parl.* iv. 10, 'An Act against the extortions of Bailiffs, Undersheriffs,' etc. The document, printed in full, breaks off abruptly at 'motion.'

[2] This document is given in full. From the hand it was probably copied

Be it remembered that Ireland contains in length from Knockbrandon in the South (which is West and by North Saint Michael's Mount in Cornwall) into Saint Colman's Island otherwise called the Curragh in the North of Ulster (which is west upon Dumfries in Scotland) 400 miles in length : and in breadth from Dublin which is South West from Chester into Creagh Patrick by West Galway in Connaught 200 miles which is proved by divers cards by which ye may understand that Ireland should be more than England by ... miles forasmuch as Ireland in the South point [? lieth] westerly with Saint Michael's Mount in the west part of all Cornwall, and in the North with Dumfries in Scotland. Also Ireland is divided into five great portions after the old extent and division, that is to say Leinster, Munster, Connaught, Meath (Myth) and Ulster (Ullister). In Leinster are five shires—Kilkenny, Wexford, Carlow, Kildare and Dublin. Munster contains Ormond, Desmond and Thomond and five shires—Waterford, Tipperary, Cork, Limerick and Kerry. Connaught contains five shires, Ulster, Meath, five shires with portions above written is of the King's inheritance as Lord of all Ireland in substance beside the title to the Crown. That is to say the Earldom of Ulster whole, Lord of all Connaught, Lord of all Meath (Might), Lord of the 4th part of Leinster, Lord of the 4th part of Munster. And it is to be understood that in the said five portions are contained and comprehended 184 Cantreds otherwise called Hundreds or Baronies. That is to say in Leinster 31, in Connaught 30, in Munster 70, in Ulster 35, in Meath 18. And there are in Ireland 5520 towns. That is to say in Leinster 930 towns, in Connaught 900, in Munster 2100, in Ulster 1050, in Meath 540 towns and [? each] cantred contains 160 ploughlands. And every town contains 8 ploughlands arable beside the pasture of 400 kine in every town, and none of them shall anere [?] to another. The sum of arable lands ploughed of all, 53080 [or 5380], besides rivers, meadows, moors and pastures, hills and woods. And every plough land contains 120 acres, and every acre contains in breadth 4 roods or a perch and in length 40 perches. And every perch contains 21 foot of poles foot 3 a yard. And if Ireland were reconciled and English as England is to the King's obedience and inhabited and occupied with English men the King might have every year of common subsidy of the land 6*s*. 8*d*. of every ploughland, sum total in the year £2226 13*s*. 4*d*. besides the custom of his havens and ports and fishing. The which was of old time 100,000 marks by year besides rents of old inhabitants of Ulster, Connaught, Meath, Leinster and Munster which was in the old Court of Marches

into the Register in the second half of the sixteenth century, the ' king's Highness ' being most likely Henry VIII or his son or father. The connection between Wales and Ireland is remarked on above, Introd. p. 10.

Days 22,000 marks. Besides other things as Advowsons of Churches and Wards of Marriages.

fo. 164v. A resolution from the Justices of Assize on a matter of law.

Hugh Beynes brought an action of the case against Raulf Lownes in the town court of Shrewsbury, and the defendant was arrested and committed to prison for lack of sureties. And so remained in prison for lack of sureties until a verdict was found against him and damage assessed at £50. And thereupon judgement was given and no execution was prayed or taken of his body but he remained still in ward and in the time of the Bailiffwick of Richard Mytton and Thomas Sturry[1] he was permitted to go abroad with his keeper in the said town and out of the said town and liberties and yet still returned with his keeper and so remained in prison 7 or 8 years after and his body was yearly delivered from one Bailiff to another. And amongst others the said Lownes was delivered by deed indented to the said Hugh Beynes being Bailiff of the said town.

The first question is whether Richard Mytton and Thomas Sturry Bailiffs of Shrewsbury may permit Lownes, being in prison for lack of surety and not in execution, to go abroad with his keeper. And whether this shall be judged an escape to charge them with the payment of the said £50.

Item, whether the plaintiff may still take his execution of the body, lands or goods of the said Lownes for the said £50.

fo. 222.

Stat. 34 [and 35] H. VIII [c. 26]. Item that shall there not exceed the number of 8 Justices of the Peace in any of the said 12 shires of Wales over and beside the President, Council, and Justices aforesaid and the King's attorney and solicitor who shall be put in the commission of the peace in all the 12 shires.

Hundred of Condover[2] in libro de nominibus villarum 902 Acton Burnell—Alma Burnell lady; Batchcott—Abbot of Haughmond (Hamon) lord; 'Biruton' [Burton, Boreton, Boreaton]—John de Lea lord; Bayston—Richard de Springehose lord; Cantlop (Cantelhope)—Nicholas de Pitchford, John de Fraudle [? Frodesley]; Cound (Conede)—Edward E.of Arundel lord; Condover—Alma Burnell

[1] Mytton and Sturry were bailiffs together in 1567 (Owen and Blakeway, *History of Shrewsbury*, i, 532): Hugh Beynes (or Baynes) was bailiff in 1570. The case is illustrative of the diverse cases of lesser importance which came before the Court, this one on appeal from the Justices of Assize as laid down by the instructions of the Council. There is no record of the judgment given.

[2] This stray entry is in a distinct and slightly later hand, probably of the beginning of the 17th century. It is printed in full.

lady ; Cressage (Cristesech)—John de Lacy lord ; Emstrey (Eymster) —Abbot of Shrewsbury lord ; Frodesley—John Honand lord; Harley—Robert de Harley lord ; Kenley (Kenelege)—Robert de Harley lord ; Langley (Longley)—William Burnell lord ; Longnor (Longnorl)—Fulk Excaneus lord ; Loy [Lai?, Low?]—Abbot of Haughmond lord ;
fo. 223. Lydley [Heys]—Earl of Arundell lord ; Norton—Alma Burnell lady ; Preen—Prior of Wenlock lord ; Pulverbatch (Polerebach) Ralph de Botiller lord ; Pitchford—Bishop of Chester lord ; Smethcott—Alma Burnell lady ; vill of Stapleton—Robert de Stapleton lord ; of Wilderley (Worderdley)—Abbot of Haughmond lord ; of Wolstaston (Wolstanton)—Alma Burnel lady.

Vills or hamlets omitted in the names of the vills etc. contained in the same hundred of Condover.

Aks (Akes), Arnech (?), Beechfield Worthin (Beclesworthin), Bolfeld (?), Cumble, Eaton near Scot Golding (Goldene), Lee Botwood, Picklescott, Sheinton, Welbatch (Welbech).

Aks—Isabella de Bicton [Bickerton] daughter of William [..?], and her sister holds Aks for 2 hides of land of the heirs of lord Robert Girros, and she pays for streetward and 'motfe' (?) to the lord king 16*d*. yearly and follows the hundred.

[*Petition : Latin.*]

fo. 229v. Please it your Highness of your most noble and abundant grace to grant Your Grace's letters patent in due form to be made according to the tenor hereof ensuing.

As a certain David ap David late of Nantmill co. Radnor labourer broke into the house of one Jevan ap David Symond at [. . .] in the parish of Knighton in the same county of Radnor and stole one mare of grey colour costing 26*s*. 8*d*. and a certain David ap Phelip, late of Llandrindod in the same county, gent., and others knowing of the said felony received and helped the said David ap David. Yet grant of pardon to David ap Phillipe for this and all other offences before the day of the promulgation of this pardon, granted under the great seal.

Robert Townsehend, Adam Mitton, William Symondes.

ff.242–42v The Vicar of Trentham must have all such tithes as either by endowment or composition he can shew belong to his vicarage or else by prescription he can prove have been paid to him or his predecessor, for other right he hath not.

First therefore as concerning the tithing of minerals, seacoals, tile stones, free stones, limestones, etc., if he will have tithe he must shew some endowment thereof or his composition proving his prescription of receiving them.

And also it is to be said of hay the vicar shall not have the tithe unless he show his endowment or composition or prove that his predecessors have had it, yet if so be the hay has been paid to the vicar by other men from the other grounds, then you must shew special privilege and exemption or else non-payment of tithe of hay will not excuse you. And so it is to be said of tithe of onions, turnips, beans, peas and all other fruits in gardens and orchards, pannage (pawnage), honey and of 'mylnes' [mills] both old and new, very true it is that tithes ought to be paid to the parson or vicar.

A tithe may be demanded of handicraftsmen or servants but they shall be bound to pay for their commodities only, all charges first being deducted; neither may they be urged unto their oaths to declare their clear gain therein.

If any man in your parish have 7 calves or 7 lambs a tenth must be paid to the vicar, and the vicar must allow back 1½*d.*; and if so be he have not 7, he must pay but for every calf ½*d.* This is the general custom throughout the province of Canterbury. And if so be you will not pay tithe after this manner you must prove your custom of paying otherwise, for the space of 40 years next before the statute in that behalf provided.[1]

You must neither pay the best calf or lamb or pig or goose for tithe, nor the worst, as the custom is in every place so must they be paid. The parson or vicar may expect always until there be 10 and if other custom be not in that place then he may choose the second or the third. The bark of trees is to be tithed if the trees be tithed otherwise not; for by law it shall go with the tree; it is a part of it and therefore if the trees by reason of years are not titheable neither shall the bark be tithed.

Robert Forth, John Daye.

[1] Stat. 2 and 3 Edward VI c. 13. An Act for the true payment of tithes, confirming Stats. 27 Henry VIII c. 20 and 32 Henry VIII c. 7. By §1 tithes were to be paid as 'within 40 years next before the making of this Act.'

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